

Student Discipline and Neoliberal Governance
A Critical Criminology of Education

by

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This thesis is dedicated to the memory of

*Peter Stewart Raymond
&
Claire Aimée Courtois*

ABSTRACT

Prompted by the need to expand the criminological enterprise, I put forward *a criminology of education* that offers a deeper understanding of education's purpose in contemporary society. In tracing the reconfiguration of social security and understandings of citizenship in Western capitalist societies, education is situated as a centrally important institution of social governance. Moving from 'the social' as the predominant category of governance to smaller, individualized units of governance such as the 'community' has produced a post-social state which involves significant implications for political institutions, including crime control and education. This is illustrated by the 'criminalization of schools' thesis, which posits that schools increasingly take on responsibilities for governing crime to the point that they are now governed *through* crime. Market preparation constitutes another governing principle of education, encapsulated in what can be termed the 'marketization of schools', which points to education's role in producing lean, active citizens. I draw on the work of Michel Foucault and Pierre Bourdieu for explicating the features of *governance* and *discipline*, and their articulation. I then turn to explore the empirical referent found in recent efforts to rethink and reorganize student discipline policies in Ontario schools. The 'discovery' of bullying in Ontario is suggested to be a discursive reality that made possible the implementation of a program of regulation. From this, we see that education is conceptualized and represented as a 'security apparatus', and education policies as increasingly concerned with managing public safety and social order.

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Introduction

The notion of a *criminology of education*, at the time of this writing, will likely arouse some degree of confusion or doubt among criminologists. After reading this thesis, I hope any sense of confusion is dispelled, especially if one would have asked, ‘What does education have to do with criminology?’¹ However, it is necessary to detail and justify the aim of this study by way of introduction since I intend to contribute to a relatively new and under studied topic in criminology. A criminology of education refers to the criminological exploration of education, which is distinct from a sociology of education. This means that the thesis offers a study of education within criminological parameters, thus analyzing the field of education with an “analytic framework” (Frauley, 2010a) peculiar to criminology. Perhaps it is necessary also to specify that the project is a contribution to developing a *critical* criminology of education. Criminologists have indeed been interested in education, but for the most part the literature is evaluative and indebted to positivist epistemology and quantitative methods, studying the effectiveness and efficiency of the school as a site for the application of crime prevention strategies (e.g., Gottfredson, 2001; Gottfredson, Gottfredson, Payne, & Gottfredson, 2005; Welsh, Greene, & Jenkins, 1999). There have been some ‘critical’ studies of education within criminology, but this has largely been limited to criminologists interested in educational programs for prisoners and tends to be descriptive and normative (e.g., Behan, 2007; Piché, 2008), though this area has also been studied for evaluative purposes (e.g., Duguid, 1982; Linden & Perry, 1982). What these works all have in common is a narrow conception of what object of study criminology is organized around:

¹ Indeed, upon raising my interest in education policy, several of my colleagues in the Department of Criminology have confronted me with this question. On one occasion, I was helpfully reminded that I was in a master’s program in criminology and *not education*.

namely, criminal law and criminal justice. In order to proceed, then, it is necessary to consider what the criminological enterprise makes reference to, at least as I have thought of it in this study.

This critique of previous criminological work concerning education also challenges much criminological scholarship in general, and has influenced the present project. John Braithwaite (2000) has argued that criminology is “destined for decline” as a result of its traditional, ‘myopic’ focus upon “police-courts-corrections” (p. 223, 230; Rose, 2000, p. 324), or what Clifford Shearing (1989) has referred to as the “straight-jacket of crime-ology” (p. 175). Objects pertaining strictly to the criminal justice system act as boundaries for the discipline of criminology that must be challenged and expanded in order to understand newer, and perhaps more relevant, modes of governance and control in contemporary capitalist societies (Braithwaite, 2000; see also Valverde, 2009). Garland and Sparks (2000) have similarly argued that “the social transformations of late modernity pose new problems of criminological understanding and relevance” (p. 189). The accustomed pursuit of conventional criminological inquiry limits criminology’s capacity to understand the “economic, cultural, and political transformations that have marked late twentieth-century social life” (Garland & Sparks, 2000, p. 189). This limitation posed by conventional criminological inquiry can be traced back to the field’s rise as a “protective service discipline” that concerns itself with efficient and effective control of ‘social problems’ (Frauley, 2005, p. 253). As Jon Frauley (2005) notes, this orientation conceptualizes criminology as a utilitarian and instrumental discipline instead of one that is interested in developing sophisticated understandings of the complexities of social phenomena (p. 254).

It is necessary, then, to “rethink the criminological enterprise” (Garland & Sparks, 2000, p. 202) in order to align it with changes in the field, which requires expanding the

discipline by asking new questions that grapple with other fields and their political, economic, and social context. Shearing (1989) has suggested that “crime-ology” be resisted in favour of a focus on social ordering. This does not mean that criminology ought to abandon crime as an object of inquiry altogether, but that, in promoting a broader enterprise, we regard “crime-ology as but one critical and historically important aspect of the whole” (Shearing, 1989, p. 176). Instead of eliminating questions of crime and criminal justice, it is a matter of decentering these questions and shifting attention to other questions of interest to criminologists, such as social ordering, governance, regulation, etc. Criminology as a discipline is perhaps in an optimal position for this task since it has been argued that it is an “inter-institutional” field (Ericson, 1996, p. 18) and permeable category which can be rendered more permeable yet (Garland & Sparks, 2000, p. 190).² “[T]o pursue the conventional agendas of criminological enquiry in the accustomed way,” Garland and Sparks (2000) suggest, “would be to turn away from some of the most important issues that face contemporary social thought and public policy. It would also be to depart from the canons of clarity, perspicacity and relevance” (p. 189). Attending to institutions and policies that are not *traditionally* held to be criminological objects is one way to further problematize and push its boundaries. A critical criminology of education helps in this endeavor in that it compels us to explore education’s relevance to criminology.

To be clear, this project is not *about* the current state of criminology and how best to expand the discipline. Rather, the circumstance in which criminology finds itself today sets up my intention for this thesis. It is a response to the “call to expand the domain of

² In responding to Shearing (1989), Alan Hunt (1990) has suggested that the discomfort experienced from crime-ology’s ‘straight-jacket’ may lead to more interesting work. The need to move beyond criminology’s boundaries to connect with social and political problems is an indication of the discipline’s vitality (Hunt, 1990, p. 658). Indeed, “[i]t is the field of academic study sufficient unto itself, ignoring and contemptuous of cognate discipline, that is in terminal crisis. The fact that criminology is unsure of its precise location and its relation to the wider project of social science is what keeps it relevant and engaged” (Hunt, 1990, p. 658).

criminological objects and to broaden the scope of criminology” (Frauley, 2010a, p. 11). The thesis takes an ‘education as governance’ approach (see Frauley, 2012), drawing on criminological scholarship. I also use works from education scholars, socio-legal scholars, and political sociologists, but only insofar as these have been found to be criminologically relevant for this project. (This means that they may or may not engage with traditional criminological categories, but do indeed provide useful “analytic concepts” for studying education as an institution of governance [see Frauley, 2010a, pp. 19-20]). In doing so, this thesis makes conceptual connections between criminology and education, seeking a deeper understanding of education policy as a form of social regulation and the field of education as a site and mechanism of governance.

The aim to rethink education criminologically follows the influence of Michel Foucault to question the ways of thinking and acting that seem most obvious. As he put it,

The game is to try to detect those things which have not yet been talked about, those things that, at the present time, introduce, show, give some more or less vague indications of the fragility of our system of thought, in our way of reflecting, in our practices. (Foucault, 1996, p. 411)

To do this also requires that we part with two more or less common (yet incompatible) conceptions of education: on the one hand, the view that education works to promote learning and intellectual curiosity, and on the other hand, the view that education serves an economic function by way of skills training. Both these approaches allow only for narrow debates and discussions concerning the betterment of schooling rather than question the institution of education itself.³ By drawing on critical criminological, educational, and socio-legal scholarship, and some (conceptual) interpretative tools from the work of Michel

³ Although I dispose of these views in exploring education, I discuss them at more length at various points in the thesis, particularly the economic view, as it will be suggested to have been an increasingly important rationale in policymaking in the last several decades.

Foucault and Pierre Bourdieu, the thesis sets out to explore education's operation within the complex web of social regulation and governance in contemporary Western society, grounded empirically by education policy reformations in Ontario, Canada.

Organization of the Thesis

The thesis is divided into four chapters. Chapter One illustrates the broader terrain in which contemporary education is situated. Through tracing the demise of the social welfare state and subsequent rise of neoliberalism, the chapter outlines the social, economic, and political context of Western capitalist societies, accompanied by a particular focus on the transformations in crime and social order (see also next section). Chapter Two then explores education within this context, demonstrating changes that correspond with those outlined in Chapter One. Both chapters One and Two thus offer conceptualizations of the fields of crime control and education that challenge taken for granted ways of viewing these institutions. From this discussion, two concepts are suggested to have been significant in conceptualizing education: *discipline* and *governance*. This prompts Chapter Three's discussion, which explicates the concepts discipline and governance, and their articulation, drawing mostly on the works of Michel Foucault and Pierre Bourdieu.

Chapter Four explores the empirical referent of this thesis: Ontario education policy reformation as it pertains to student discipline between 2000 and 2012. The chapter is divided into two general parts. The first part offers a descriptive analysis of the policy reformation and the arguments and claims made by policymakers in this process. My analytic framework outlined in the previous chapters guides the discussion. It illustrates the shift in thinking about student discipline, implementing a 'progressive discipline' regime in schools as a way of keeping students in school. The concept and phenomenon of bullying is

discussed, along with its categories of student in the ‘bully’ and the ‘victim’, which made school safety knowable and hence governable through a program of regulation. The second part of the chapter, following this outline, argues that the Ontario Ministry of Education put forward a conception of education as a site and mechanism of governance that concerns public safety and order. In this way, education policy may be thought to operate as public safety policy, as policymakers sought to reconfigure the basic educational capital students acquire, and thus the ‘habitus’ they develop. I conclude the thesis by considering the implications of this transformation in education, as well as developing the notion of a critical criminology of education in the future.

Some Notes on Method

Ultimately, in seeking to explore education as a mechanism of governance, I focus in this thesis on the way education’s purpose and function has been transformed at the discursive level. To do this, I examine the process involved in producing and implementing particular policies, which sheds light upon the conceptualizations and understandings of education among policymakers and stakeholders. That is, I consider how an issue was ‘discovered’ and ‘problematized’, and how that problem’s ‘resolution’ was imagined. In so doing, I am pursuing a path of research well trodden by socio-legal scholars (e.g., Bittle & Snider, 2011; Conklin, 1996; Hier & Greenberg, 2002; Manderson, 1997; Snider, 1985). These pieces concern discourses involved in the shaping of particular legal problems and the strategies for solving them. For instance, in tracing the passage of legislation reforming Canadian laws on sexual activities Laureen Snider (1985) examines committee meetings to determine which discourses indeed led to the reformation that resulted. Although stimulated by feminist discourses, the state’s interest in tightening and reinforcing state control was

served, as criminal law reform in capitalist societies is argued to follow a particular discourse with specific ‘criteria’, which Snider (1985) in fact lays out (pp. 350-351). Thus, her approach enabled an alternative understanding of the legislation, the nature of social control, and the process of reform in a capitalist state.

Hier and Greenberg’s (2002) study examines the way in which media elicited social anxieties pertaining to the socio-economic success of the Chinese in Canada, social change, and globalization in its coverage of the arrival of 600 Fujianese migrants over three months. Within a broader context of social conservatism, this particular event served as a “tipping point” of a preexisting state of social uncertainty and anxiety towards the Chinese in Canada (Hier & Greenberg, 2002, p. 494). The news coverage of the Chinese migrants’ arrivals was pervaded by a ‘racialized’ discourse of illegality, contributing to the objectification and amplification of the migrants and events, thus problematizing the ‘phenomenon’ of Chinese citizens migrating to Canada (Hier & Greenberg, 2002, pp. 498-502). This ‘problem’ became a ‘crisis’ through heightened concerns over the purported health risks and criminal threats posed by the migrants, fabricated by the news coverage (Hier & Greenberg, 2002, p. 503). From this, politicians, government representatives and some groups of laypersons drew upon the media’s discourse to confront illegal migration by unwanted foreigners through state intervention (Hier & Greenberg, 2002, p. 506). Thus, by analyzing news coverage of a particular event with an understanding of its broader context, Hier and Greenberg (2002) offer a critical understanding not only of the event itself, but also the power of media to cultivate a ‘discursive crisis’, and the ways in which states can use a particular discourse to “constitute and maintain themselves as ongoing concerns” (p. 491).

The discussion offered in Chapter One will serve two purposes. First, it will frame the social context, or what Kraska and Neuman (2012) term the “macrocontext,” by tracing

“macrolevel events,” which is crucial to understanding trends and events at more “microlevels” (p. 265). Second, and related, the discussion will raise several ideas and concepts that are important to setting up the research strategy used in this thesis. Following Blaikie (2000), my study is indebted to the “sensitizing tradition,” which considers concepts to be less definitive and more oriented to enabling exploration into the nature of similarities and commonalities of social phenomena (p. 136). “Sensitizing concepts,” Blaikie (2000) suggests, “provide clues and suggestions about what to look for,” after which the researcher reshapes and refines the meaning of the concepts, making them more relevant for their purpose in the project (pp. 137-138). For my purposes, in concluding Chapter One the reader will be informed of which concepts will be used for this thesis. These sensitizing concepts will be linked to the literature on education, and later used to analyze my empirical data. Thus, these concepts are used as sensitizing concepts, which enables me to strategically read the policy documents. This approach to concepts is the most appropriate, as social concepts are subject to change with social arrangements (Blaikie, 2000, p. 154). Here, no process in the social world is understood as timeless and universal, and therefore, the concepts permit a provisional understanding of the phenomena.

Sensitizing concepts are also used here in accordance with the “hermeneutic tradition,” fitting within the interpretive paradigm (Blaikie, 1993, p. 176). This is not necessarily a contradictory approach, as Blaikie (2000) confirms that sensitizing concepts may be needed at the outset of research, which can then lead to a hermeneutic scheme for understanding the way social actors discuss and relate to the phenomena (p. 138). The hermeneutic tradition contends that the researcher must grasp the meaning of everyday language and activities, and therefore the researcher’s language must be derived from lay language (Blaikie, 2000, p. 138). However, it is important not to conflate this process with

translation. Understanding does not rely on reconstruction, but rather mediation (Blaikie, 1993, p. 64, drawing on Gadamer; see also Blaikie, 2000, p. 138). The researcher must mediate between lay language and technical language in order to produce relevant concepts for the study – it is a matter of interpretation rather than translation (Blaikie, 2010, p. 139). According to Blaikie (1993), the major task of interpretive social research is “to discover why people do what they do by uncovering the largely tacit, mutual knowledge, the symbolic meanings, intentions and rules, which provide the orientations for their actions” (p. 176). The task is to use the accounts of social actors as potentially instructive of specific constructions of some subject matter, as well as “discursive fragments” of the rules of articulating (i.e., talking about and experiencing) that subject matter, indicating its dominant and widespread discourse (Alvesson & Kärreman, 2000, p. 1138). Thus, it is in the mundane and taken for granted from which we can provide an understanding of social activity (Blaikie, 1993, p. 176).

The sensitizing tradition is used here according to a constructivist, abductive research strategy. According to Blaikie (2010), the abductive research strategy assumes an “idealist” ontology, which presupposes that reality is made up of representations that are created by the human mind (p. 93). Social reality consists of shared interpretations and understandings produced and reproduced by social actors and their activities (Blaikie, 2010, p. 93). The epistemology advanced by an abductive research strategy holds that social scientific knowledge is derived from reinterpreting “everyday knowledge” into technical, sociological (or, *criminological*) language, which is known as “constructionism” (Blaikie, 2010, p. 95; Blaikie, 1993, p. 176). As Blaikie (1993) suggests, “[i]t is the process of moving from lay descriptions of social life, to technical descriptions of that social life, that the notion of Abduction is applied” (p. 177). Kraska and Neuman (2012) describe this as moving from a

“first-order interpretation” (e.g., the interpretations of policymakers as articulated in the policy documents) to a “second-order interpretation” which involves eliciting an “underlying coherence or sense of meaning in the data” (p. 267). From this, a “third-order interpretation” is possible by linking the second-order interpretation to broader “social/cultural/historical contexts” (Kraska & Neuman, 2012, p. 267). ‘True’ discoveries about the social world are impossible under this epistemological stance since it is impossible to observe a world free of concepts, theories, background knowledge, and past experiences (Blaikie, 2010, p. 95).

The abductive strategy (Blaikie, 2010) guides my analytic procedure, which was carried out by synthesizing the key concepts for understanding the broader context and then developing education-specific concepts that are derivative of those broader, political-economic concepts. This conceptual work makes possible the development of an analytic framework that enables a dialectical back-and-forth between theory and the empirical. Such an approach resonates with Frank Pearce’s (2001) notion of the “intertextual nature of reading” (p. 6): one reads with particular purposes, concerns, and ideas in mind, which leads to developing a reformulation that is different from the initial text(s).

The analytical and theoretical discussion in Chapter Four seeks to describe the ways in which school safety was problematized by the government, and explain how student discipline was put forward as the primary strategy to regulate this problem. It is then considered how this strategy pertains to social governance more generally. The empirical referent for this thesis is made up of the Hansard for the legislative debates and committee hearings, news releases, task force reports, and other documents published by the Ministry of Education, beginning in December 2004. I focus specifically on the reformation of discipline in education policy, as this was a significant issue among policymakers and stakeholders. It follows that the method used in this study takes the form of a qualitative document analysis,

which Kraska and Neuman (2012) define as the “interpretive analysis of a systematically selected set of documents, including text and/or visual images, in an effort to uncover their meaning, themes, and cultural and social significance” (p. 268). This lends well to the emphasis of qualitative document analysis as a way of deconstructing and making sense of “the way in which language ... form[s] a particular version of reality” (Kraska & Neuman, 2012, p. 274). There is also an element of “academic legal research” in this strategy, as I consult “primary sources of authority” (i.e., the separate bills affecting the *Education Act*) (Kraska & Neuman, 2012, pp. 322-324, 328).

Following socio-legal scholarship and the abductive research strategy, I will read education policies and corresponding documents to garner the discourses through which education is understood and conceptualized, while remaining sensitive to the broader features of social life in contemporary society. This will, as Alvesson and Kärreman (2000) would put it, allow me to “move beyond the specific empirical material ... and address discourses with a capital D – the stuff beyond the text functioning as a powerful ordering force” (p. 1127) in order to develop a deeper understanding of the role of education as an important institution of governance. It is to the broader features of sociality that I now turn.

CHAPTER ONE

Social (In)Security and Social Order

To study education as a centrally important institution of social governance, one must consider the social, economic and political arrangements of contemporary society. As I alluded to above (see ‘Some Notes on Method’), the broader, macro-level forces in a society generate shifts at the individual and governmental levels of social life. To take the fields of crime control and education as separate entities operating autonomously, one simply for the administration of criminal justice and the other for educating students, is to fail to understand these institutions and the roles they play. This chapter outlines general trends in governing Western capitalist societies after the demise of social welfarism, paying particular attention to the crime control field. It is suggested that these changes have had profound effects for various institutional fields, including education. The chapter demonstrates the interconnection between broad shifts in sociality, reconfigurations in crime control and social order, and changing conceptions of citizenship. By taking into consideration general trends in society, we can begin to form an analytic framework with which to think about the field of education criminologically.

The Rise of Neoliberalism

The rise and decline of the social welfare state is well documented. Although communal and governmental social welfare activity can be traced back to the colonial era, the rise of the welfare state is commonly thought to have begun in the 1940s (Rice & Prince, 2000, p. 51; Teeple, 1995, p. 25). Of course, every country will differ slightly in terms of when, how and why the welfare state transpired. The early 1940s witnessed the transformation of Keynesian economic ideas into concrete programs which was the

foundation of the Canadian social security system (Rice & Prince, 2000, p. 58). Generally, the social welfare state is the corollary of class conflict (or the mere possibility of class conflict) stemming from the capitalist mode of production (Teeple, 1995, p. 12, 25). The welfare state is, then, a means by which governments seek to intervene through social policies, programs, and regulations (Teeple, 1995, p. 15). This intervention is a means of providing and accommodating for social needs which the capitalist mode of production cannot solve (Teeple, 1995, p. 15; Walters, 1997, p. 224). As Teeple (1995) suggests, the (Keynesian) welfare state is commonly understood as a *necessary* form of socialism, which “does not produce any fundamental change in the capitalist mode of production” (p. 25). Keynesianism allows for capitalist social democracy in that it advocates and provides for the working class, but never outside the “confines of the system” (Teeple, 1995, p. 26). Thus, social welfarism, inspired by Keynesian economics, does not eradicate capitalism; rather, it seeks to *reform* the system. As Zygmunt Bauman (2001a) notes, the welfare state was ‘beyond left and right’ – it was a “prop without which neither capital nor labour could survive, let alone move and act” (p. 22).

Developments in Western capitalist societies have influenced the way social welfare is approached and understood today. According to Rice and Prince (2000), these trends include the globalization of the economy, differing needs and demands for social protection, and calls for recognition and inclusion of diverse communities in policy development (pp. 3-5; Walters, 1997, p. 222). The economic expansion between World War II and the 1970s laid the foundation of a global economy (Teeple, 1995, p. 57). Between the 1970s and 1980s, the global economy was considered the solution to national economic difficulties while the welfare state was largely deemed the problem, thus leading to “the crisis of the welfare state” (Rice & Prince, 2000, p. 83; Pierson, 2007, pp. 145-156; Teeple, 1995, p. 55). This crisis was

manifested in criticism of the welfare system from several perspectives. Following Rice and Prince (2000), Liberals argued the system had not successfully managed tensions between social investment and economic investment, while Conservatives questioned government's role in providing social programs and asserted that such programs fostered reliance on the state. As well, feminists argued that welfare programs maintained patriarchal dominance, and community organizations claimed the welfare state was not inclusive in decision-making, thus alienating and concealing their concerns and interests (for a discussion, see Rice & Prince, 2000, pp. 84-109; see also Pierson, 2007, pp. 66-102; Sears, 1999, p. 93; Walters, 1997, pp. 222-223).

The welfare state's devolution, and its ramifications on the broader, political-economic terrain, has constituted the rise of what is generally referred to as 'neoliberalism'. This has been, and continues to be, a complex process of social change (on this, see Hall, 2011, p. 706). Although the term has been used to denote "new forms of political-economic governance premised on the extension of market relationships" (Larner, 2000, p. 5), the following pages will identify and outline in more detail some significant current trends stemming from this transformation in social, political, and economic governance.

The philosophy of social welfare was thus challenged and the system was strategically dismantled. Social reform was abandoned and ultimately replaced with monetarism, which displaces control over the economy away from the state (Rice & Prince, 2000, pp. 111-125; Teeple, 1995, p. 70). Monetarism aims to separate social and economic policies, or "the depoliticization of economic policy" (Teeple, 1995, p. 70; Rice & Prince, 2000, p. 138). As a macroeconomic theory, monetarism emphasizes the need for minimal state intervention in many areas which it had developed a major role during the Keynesian

era.⁴ Minimal state intervention is thought to allow markets to function smoothly and optimally. According to Rice and Prince (2000), monetarism has become “the new conventional wisdom” in Canadian federal government policymaking, as it has influenced an agenda of policies, including but not limited to “the restructuring of local governance structures ... and the promotion of charities and other *community groups as vehicles for meeting social needs*” (p. 138-139, my emphasis).

A new conception of the welfare state thus prevails, which defies the goals of a comprehensive social security system. The role of social policy is reframed as a tool for economic development and adjusting the labour market (Rice & Prince, 2000, p. 142). As Walters (1997) suggests, “Social policy must now give an economic account of itself,” and is thus evaluated according to a “new criteria of economic rationality” (p. 227). Emphasis on competitiveness and productiveness replaces concerns with quality of life. These principles are celebrated as the most effective means of optimizing one’s quality of life (Rose & Miller, 1992, p. 198). Under neoliberalism, as Rose and Miller (1992) suggest, “autonomous actors – commercial concerns, families, individuals – are to go freely about their business, making their own decisions and controlling their own destinies” (p. 199). An “economic understanding” of society, shaped by monetarist, Chicago school thinking (see Chapter Two), positions the market as the most effective means for allocating resources instead of the state (Pearce & Snider, 1995, pp. 22-24). With the use of an economic model as a “basis for understanding human conduct” (Pearce & Snider, 1995, p. 22), social programs are reformed to ensure work ethic and productivity (Rice & Prince, 2000, p. 142). The social welfare system as a ‘safety net’ is transformed into a ‘trampoline’ or ‘springboard’, with emphasis on “‘active’ programs” which ‘bounce’ (unemployed) citizens into work (Rice & Prince, 2000,

⁴ Monetarism is compatible with the idea of ‘human capital’, which I discuss at some length in Chapter Two.

pp. 142-143). Active social policy is in favor of measures that encourage economic activity, such as employment or investment, in hopes of minimizing welfare dependency (Pierson, 2007, p. 180, 188; Dean, 1995, pp. 577-579; Walters, 1997).

The worker/non-worker division characteristic of the welfare state dissolves within the “active society” in which everyone is seen as workers or potential workers (Walters, 1997, p. 224). To be unemployed is known as being “inactive” (Walters, 1997, p. 224). Government’s⁵ role, then, in addressing social problems is to promote activity, which is to say paid employment in the market (Walters, 1997, p. 224). Within this model of governance is the regulatory model which Alan Sears (1999) terms the “lean state.” The lean state refers to the restructuring of the welfare state directed toward ‘lean production’. Lean production is a political-economic trend deriving from workplace management strategies developed in response to the “profitability squeeze” beginning in the mid-1970s, with the central goal of improving productivity by reducing labour time through new technologies, eliminating ‘wasteful’ mass production methods, and approaching the social organization of work and labour/management relations in novel ways (Sears, 1999, p. 95). It is a set of strategies aimed at increasing profitability through the elimination of wasteful social programs, differentiation of the workforce for increased flexibility, and promotion of work discipline that depend on stress and ‘self-subordination’, workers identifying with management goals of quality and flexibility (Sears, 1999, p. 97; Sears, 2000, p. 147). Within the active society and lean state, social policy is judged according to its effect(s) on the labour market, which works to decimate the work-welfare division. Activity within the labour market is the preferred form

⁵ In this study, there is a definite distinction between ‘government’ and ‘*the* government’. Government is an “intensely practical matter” (Hunt & Wickham, 1994, p. 25) concerning the management of populations, which involves various actors and fields – not merely the formal government, or ‘the State’. For this reason, I tend to use the term ‘governance’ (see Hunt, 1993, chap. 13). This will be made especially clear in Chapter Three, but for the time being the reader should be aware of this important difference.

of individual welfare. Hence the rise of training as a governmental practice, which is argued to enhance individuals' employability (Walters, 1997, p. 228). Social security (i.e., pensions and unemployment insurance) is perceived as a public expenditure that keeps individuals outside the labour market, whereas training is considered a favorable social investment that is increasingly privately funded (Walters, 1997, p. 228). Sears (1999) also points out that social programs such as health care and education are also being privatized (pp. 94-95). With the generalization of lean production, social reproduction promotes activity and enhanced economic productivity.

The lean state, and its assault on social programming, has a logic and coherence to it, constituting a project aimed at (re)organizing social reproduction to suit the demands of lean production. For Sears, this project has two sides which comprises the *lean disciplinary regime*: the *economic* side and the *cultural* side. The economic side works to reproduce the flexible worker, committed to working in various situations with limited expectations for security, wages and working conditions (Sears, 1999, p. 99). This is achieved by differentiating the working class through contracting out, temporary employment, and part-time employment strategies. The resultant pool of unprotected 'flexible' workers comes to rely on reduced incomes partly due to diminished alternatives to wage labour (i.e., sharp reductions of benefit levels for welfare and social assistance recipients) (Sears, 1999, p. 100). This shift in social policy, labour market deregulation, promotes inclusiveness, as its conception of the workforce increasingly deems formerly 'inactive' groups (e.g., mothers, elderly, students) as 'active' (Walters, 1997, p. 225). However, labour market deregulation also feeds a 'politics of exclusion' in which blame for the conditions of the most vulnerable (and excluded) is directed at their own characteristics, thus naturalizing the process of differentiating the working class (Sears, 1999, p. 101).

The economic side, and its tendency toward deregulation, involves a reconfiguration of moral regulation. This is the cultural side of the lean state project, complementing the formation of the flexible worker with the “ethos of the lean person, driven to maintain herself at the highest level of fitness while avoiding sloth and self-indulgence” (Sears, 1999, p. 99). Not only has social reproduction been increasingly privatized, it has also been commodified, so that more needs and desires are met through the marketplace (Sears, 1999, p. 103). Increased dependence on the marketplace and the continual contraction of social welfare services is an arrangement that compels productive activity (Walters, 1997, p. 224), thus extending “market discipline” (Sears, 1999, p. 104). However, market discipline alone does not effectively regulate the populace. Rather, the lean state also deploys coercive discipline to ensure market discipline. As Sears (1999) notes, “State disciplinary activities reinforce market discipline by visibly suppressing forms of ‘deviant’ conduct which threaten the norms of commodity exchange” (p. 105). Moral regulation within the lean state is thus contradictory in that the extension of market discipline into everyday life has brought with it a level of moral *deregulation*, on the one hand, and a harsh disciplinary regime of the active state overtly regulates the populace by ensuring the promotion of the ethos of the lean person, on the other hand (Sears, 1999, pp. 105-106).

With the devolution of the welfare state, ‘social’ policy is increasingly focused on the responsabilization and activation of individual citizens. State intervention in the economy is generally considered harmful to market rationality, which suggests a social system based upon markets is more efficient and just (Pearce & Snider, 1995, p. 23; Teeple, 1995, pp. 122-123; Sears, 1999, p. 104, 107). Universal welfare provision is consequently counterproductive, as it is seen to discourage participation within the labour market, and unnecessary if people simply “took responsibility” for their situation (Pearce & Tombs,

1998, pp. 10-13). From this rationality, social problems are ‘individualized’. Zygmunt Bauman elucidates this point as he suggests,

In our ‘society of individuals’ all the messes into which one can get are assumed to be self-made and all the hot water into which one can fall is proclaimed to have been boiled by the hapless failures who have fallen into it. For the good and the bad that fills one’s life a person has only himself or herself to thank or blame. (Bauman, 2001a, p. 9)

Under neoliberal reasoning, then, welfare is the individual’s responsibility. Individuals must be able to cope with any hardships they encounter, and look to themselves to resolve those hardships. As Larner (2000) suggests, individuals are encouraged to “see themselves as *individualized and active subjects* responsible for enhancing their own wellbeing” (p. 13, my emphasis). This political environment has been referred to as a post-social political context, or ‘post-social state’, in which competition and cooperation emerge as models for governing (O’Malley, 1996a, pp. 27-28). Post-social individuals are “autonomous individuals, responsible for their own fate, invested with personal agency and thus with personal responsibility for their actions” (O’Malley, 1996a, p. 28). Thus, governmental attention shifts to the project of creating a lean state, which involves promoting the formation of the “flexible worker” and the above-mentioned ethos of the lean person (Sears, 1999, p. 99).

Despite its assault on ‘big government’, the ascendancy of neoliberalism, and its celebration of the market and individual responsibility, does not involve a complete withdrawal of state intervention. Following the work of Pierre Bourdieu and Loïc Wacquant, Jamie Peck distinguishes between the left arm and the right arm of the state: the left arm comprises “spending ministries” and the right arm comprises the “agents of austerity, privatization, deregulation, and marketization” (Peck, 2010, p. 105). Rather than the right arm ignoring the left arm, Peck (2010) suggests both arms are working in tandem – they are “functionally and organizationally *complementary*,” thus forming an ambidextrous state (p.

105, emphasis in original). This stems from the “shape-shifting capacities” of neoliberalism, which is characterized by the management of the “costs and contradictions of *earlier* waves of neoliberalization” (Peck, 2010, p. 106, emphasis in original). In managing these costs and contradictions, the neoliberal project becomes a more consolidated form of market rule (Peck, 2010, p. 106). Neoliberalism evolves by making mistakes; “It fails, but it tends to fail forwards” (Peck, 2010, p. 106). Thus, privatization and marketization do not cause the state to lose its power; ‘neoliberalization’ does not necessarily render the state *powerless* (Pearce & Snider, 1995, p. 19, 42; Sears, 1999, p. 95). Rather, the state is significantly involved in changing society – the Keynesian welfare state is being *restructured* and not necessarily dismantled. Through political decisions, programs and pressure, the state may expand or restrict its scope (Pearce & Snider, 1995, pp. 41-43; Pearce & Tombs, 1998, p. 41, 44, 68-69; Sears, 1999; Teeple, 1995).

Crime Control and Neoliberalism

The transformation of the political, economic, and social context described above has had clear implications for various social institutions, including those charged with social control functions. This has involved considerable change within the field of crime control. Neoliberalism has significantly influenced governments’ attempts to control and manage crime and deviance. Government adoption of neoliberal strategies of control was largely the result of the collapse of support for ‘penal-welfarism’, associated with the general demise of the welfare state beginning in the 1970s (Feeley & Simon, 1992; Garland, 2001; Gordon, 2005; Ratner & McMullan, 1983; Simon, 2007). Penal-welfarism (or, ‘the old penology’) is best described as the modern, rehabilitative approach, characteristic of the welfare state (Garland, 2001, p. 15, 20; Feeley & Simon, 1992, p. 450; Feeley & Simon, 1994, p. 173).

This approach has given way to ‘the new penology’, focused on regulating levels of deviance rather than responding to individuals or social issues, also known as risk-based ‘actuarial justice’.

This trend, along with the normalization of high crime rates in contemporary society, has led governments to strategize more modestly to *adapt* to today’s conditions (Garland, 1996, p. 446; Garland, 2000, p. 348; Feeley & Simon, 1992). The official discourse on crime control has changed from one of confidence to one that is modest and hesitant. As David Garland (1996) suggests, criminal justice agencies have been marked with a sense of failure – with a new sense of the limits of the state’s capacity to regulate conduct and deviance, and thus provide security (p. 447; Garland, 2001, p. 205). Consequently, emphasis is shifted onto the *effects* of crime (i.e., costs, victims, fear, etc.) rather than its *causes* (Garland, 1996, p. 447). For Feeley and Simon (1992), the aim does not involve a concern for individuals’ lives, but rather to regulate groups (i.e., “target categories and subpopulations”) in order to manage danger (p. 453; Feeley & Simon, 1994, p. 173). As Feeley and Simon (1992) put it: “The task is managerial, not transformative” (p. 452, references omitted). In a different vein, Ratner and McMullan (1983) suggest the economic developments of the 1970s that produced neoliberal conditions have facilitated the rise of the “New Right” ideology in crime control. This has resulted in a shift toward repressive state responses over matters of social control, with the view that a coercive state is legitimated, which produces and maintains the “exceptional state” (Ratner & McMullan, 1983, pp. 34-35). With exceptional states adopting a “law and order” stance, governments increasingly resemble authoritarian regimes (Ratner & McMullan, 1983, p. 34, 41). Thus, rather than a rationalist approach, Ratner and McMullan (1983) contend that governments continue to depend on expressive political strategies.

However, unlike Feeley and Simon (1992, 1994) and Ratner and McMullan (1983), Garland (1996) also identifies a complex and *contradictory* response to the predicament of crime control in late modern society, which involves *both* strategies of denial and adaptive strategies. That is, crime control is representative and calculative, expressive and practical, punitive and managerial, and thus, as Sparks (2003) terms it, “Janus-faced” (pp. 21-22).⁶ Strategies of denial take a “punitive ‘law and order’” stance in an attempt to make it appear as though “‘something is being done’ here, now, swiftly and decisively” (Garland, 1996, p. 460, 461). On the other hand, adaptive strategies rethink the problem of crime in order to make it more manageable (Garland, 1996, p. 447, 450-459). This dualism within the crime-control field is based on two contradictory criminological frameworks. Garland (1996) distinguishes between a *criminology of the other* and a *criminology of the self* (or, *criminologies of everyday life*) (p. 461; Garland, 2001, p. 137). The criminology of the other characterizes offenders as “the threatening outcast, the fearsome stranger, the excluded and embittered ... [and] is concerned to demonize the criminal, to excite popular fears and hostilities, and to promote support for state punishment” (Garland, 1996, p. 461). This framework corresponds with strategies of denial, fueled by a neo-conservative criminology that operates from a ‘law and order’ stance. The criminology of the self, on the other hand, “characterizes offenders as rational consumers, just like us ... [and] is invoked to routinize crime, to allay disproportionate fears and to promote preventive action” (Garland, 1996, p.

⁶ In examining state punishment specifically, Sparks (2003) also argues that a conjoining of actuarialism and New Right social and political ideology results in crime control hybridity. This includes a level of diversity in ideas guiding penal practice and the ‘risk arithmetic’ being accompanied by emotive rhetoric (Sparks, 2003, p. 38). Thus, these diverse influences are present within the realm of crime control, and more specifically for Sparks’ analysis, in punishment. It is also important to note that Feeley and Simon do not reject the notion that these opposing forces coexist. Indeed, they suggest, “these two trends are by no means mutually exclusive” (Simon & Feeley, 2003, p. 77). The new penology pervades professional and academic discourse on crime control, while its public discourse remains rooted in the oldest penologies’ moralism (see Simon & Feeley, 2003).

461), thus corresponding with strategies of adaptation, normalizing criminal activity in a way that it constitutes a part of the fabric of everyday life, reflective of a ‘culture of control’.

O’Malley (1999) extends this argument to suggest that these contradictory criminologies, one formed out of neoliberalism and the other from neo-conservatism, are not necessarily opposed. Rather, “penal policies over the past two decades have been formed by regimes that amalgamate and combine rather contradictory governing rationalities” (O’Malley, 1999, p. 188; O’Malley, 1996b, p. 197). Thus, actuarial and punitive logics can be united in this context.

As Garland (2001) argues, states have increasingly been “mobilizing and harnessing” the capacity of non-state mechanisms for, but not limited to, crime control (p. 123). This relates to Jonathan Simon’s (2007) argument that crime control has offered elected officials an attractive basis for the rationalization of governance in various areas, thus resulting in a political strategy of ‘governing through crime’,⁷ and resonates with Cohen’s (1979) ‘dispersal of social control’ thesis. Contemporary strategies of control do not adopt a “command and control” stance, but rather seek to persuade other actors, which include other agencies, organizations and the general public, to “exert their informal powers of social control” (Garland, 2001, p. 126). Government action upon the problem of crime is addressed to “organizations, institutions and individuals of civil society” (Garland, 1996, p. 451). Government is going beyond the state agencies traditionally responsible for crime control (i.e., police, courts, prisons). This approach aims to

modify the everyday routines of social and economic life by limiting the supply of opportunities, shifting risks, redistributing costs, and creating disincentives. It aims to embed controls in the fabric of normal interaction, rather than suspend them above it in the form of a sovereign command. (Garland, 1996, p. 451)

⁷ In the next chapter, I return to Simon’s ‘governing through crime’ thesis, particularly focusing on how it has provided a template for governing schools.

Thus, the state is seeking ways to govern crime *indirectly*, or as Rose and Miller (1992) might put it, “govern [crime] ‘at a distance’” (p. 181). In attempting to impose this mode of governing crime, the state has developed a ‘responsibilization strategy’ (Garland, 1996, p. 452). Crime prevention becomes the responsibility of actors outside the criminal justice system. Thus, “[p]roperty owners, residents, retailers, manufacturers, town planners, *school authorities*, transport managers, employers, parents, and *individual citizens*” are made responsible for preventing and controlling crime, as central government continues to renegotiate the proper functions of the state (Garland, 1996, p. 453, my emphasis).

Responsibilization reframes crime control as a task which requires the establishment of partnerships, traversing the traditional public/private boundary (Garland, 2000, p. 348). Thus communities must be activated to take responsibility in this regard. As Garland (1996) suggests, the state “now aims to bring about marginal but effective changes in the norms, the routines, and the consciousness of everyone” (p. 454). This allows the state to “[work] *through* civil society and not *upon* it,” emphasizing proactive prevention instead of reactive punishment (Garland, 2000, p. 348, emphasis in original). The responsibilization strategy stems from the discourse of community. As Garland (2001) argues, following the general failure of criminal justice agencies, the ‘solution’ of the problem of crime control lies largely in the community (p. 123). O’Malley (1996a) points out that the ‘social’ is no longer the main category of governance or the main way of understanding the role of government. Rather, a ‘post-social’ political rationality (defined by the combination of neoliberalism and neo-conservatism, as described above) emerges in which smaller units – *communities* in their varying forms, including families, neighbourhoods, schools, workplaces, etc. – are central (O’Malley, 1996a, pp. 28-29). The activation of the community extends beyond explicit

strategies of crime control, though this is a significant development. As Rose (1996) suggests, by the 1960s, community had been invoked as a pertinent aspect in governance (p. 332).⁸ Through instrumentalizing personal allegiances and active responsibilities, a new sector of government is established: “*government through community*” (Rose, 1996, p. 332, emphasis in original). In line with the discussion above, Rose (1996) suggests that the social is “giving way to ‘the community’ as a new territory for the administration of individual and collective existence, a new plane or surface upon which micro-moral relations among persons are conceptualized and administered” (p. 331; see also Rose, 2000, p. 329).⁹ Further, O’Malley (1996a) notes that communities are not just *sites* of governance, but also *categories* for envisioning the nature of governance, as communities are groups of self-interested and responsible individuals.

Neoliberal Citizenship and Security

Directly tied to responsabilization is “privatized actuarialism,” or as Pat O’Malley (1996b) terms it, “prudentialism” (p. 197; O’Malley, 1992, p. 257). Prudentialism involves the privatization of risk management, facilitating and enforcing “government through individual responsibility” (O’Malley, 1996b, p. 199). The transformation from a socialized actuarialism (welfarism) into one that is privatized has influenced not only crime control but also many other areas of government. It is presupposed that the responsible and rational individual will be prudent, thus producing the most desirable provision for security against

⁸ See as well Zygmunt Bauman’s (2001b) *Community*, in which he discusses the significance community takes on in matters of security in contemporary (individualized) society after the state’s surrender of control over the economy and culture, and the accompanying rise of power in the market.

⁹ Paul Heelas (1991) describes the responsabilized individual tied to community commitments as the “ideal enterprising self” due to its “fusion of the utilitarian with the authoritative” (p. 84). That is, the ideal citizen is one who is guided by both a ‘utilitarian ethic’ (i.e., driven by individualistic goals) and an ‘authoritative ethic’ (i.e., driven by goals independent of personal wishes). In his discussion, he casts doubt on the overall coherence of such a plan, as it is unlikely that enterprising selves, living as businesses, will also aim to contribute to the public good.

risk (O'Malley, 1996b, p. 200). As O'Malley (1996b) notes, "Within such prudential strategies, then, calculative self-interest is articulated with actuarialism to generate risk management as an everyday practice of the self" (p. 200). Prudent subjects, characterized as rational, responsible, and driven by self-interest, become responsible for security. To be made prudent is to be 'autonomized'. Within this context, citizens operate according to the logics of *homo economicus* and *homo prudens*, as "[p]rotection against risk through an investment in security becomes part of the responsibilities of each active individual" (Rose, 1996, p. 342) since "prudent subject[s] will invest resources in improving personal and property security" (O'Malley, 1996b, p. 201).

Steven Spitzer (1987) suggests the "perceived dangerousness and uncertainty of social existence" is a crucial factor in individuals' decisions to enter the marketplace (p. 45). Loader (1999) adds that the 'security market' represents an escape from democracy in that it enables individuals and communities "to pursue their particularistic (and self-defined) security requirements without reference to any conceptions of the common good" (p. 384). Though these security requirements may be 'self-defined', they are nevertheless shaped by shifting economic, political, and social forces, as the present discussion suggests. Spitzer (1987) argues that the need for safety and freedom from danger in capitalist societies has resulted in commodities being invested and associated directly and indirectly with security. That is, commodities are invested with "security effects," which is to say a commodity's market value is enhanced from its perceived promise of greater security and freedom (Spitzer, 1987, pp. 44-45). Spitzer (1987) aptly distinguishes between those commodities *directly* linked to people's safety and "those whose connection to security is *less tangible and direct*" (p. 44, my emphasis). It follows that,

[b]ecause safety (like love, happiness, prosperity, and fulfilment) is a social need which can be activated in a wide range of decisions to consume, virtually all commodities can be invested with the ‘aura’ of security – that is, presented, promoted, and ultimately consumed because of their ostensible ability to free the consumer from worry, trouble, and harm. (Spitzer, 1987, p. 45)

A commodity may hold to some degree security value without being thought of as a security product per se. The decision to consume such products, then, does not depend on their status as security products (Spitzer, 1987, p. 45). Both security products and products less associated with security functions make up markets in security that are embedded in broader efforts to enhance the security of micro- and macro-environments (Spitzer, 1987, p. 45). From this, Spitzer (1987) suggests, “security commodities can never be completely differentiated from commodities which are invested with ‘security’ attributes or generate ‘security’ effects” (pp. 45-46). All of this points to the subjective dimension of security, as “the commodification of security is intimately related to our *individual and collective feelings of insecurity*” (Spitzer, 1987, p. 46, my emphasis).

The active society, as described above, is a model of governance that aims to ensure individuals are ‘active citizens’, with activity ultimately meaning economically productive and self-sufficient through their capacity to also consume. The security market is thus closely linked to prudentialism and responsabilization, which make up a broader characteristic of contemporary market capitalism, ‘enterprise culture’. Rose (1992) points to the strength of focusing on the language of enterprise for understanding contemporary attempts of governing social, economic, and personal life (p. 145; Heelas, 1991). Enterprise, according to Rose (1992), “designates a kind of organizational form” while also “more generally provid[ing] an image of a mode of activity to be encouraged in a multitude of arenas of life” (p. 145). This context aims to produce particular characteristics in citizens, which contribute to the cultivation of the lean person, as discussed above. “The lean person,” as Sears (1999)

puts it, “is driven to maintain herself or himself at peak levels of fitness and generally organizes her or his life around lean principles, avoiding waste and dependence” (pp. 102-103). Enterprise ensures the maintenance of this lean person, as it designates a set of rules for conducting one’s everyday life. This involves the lean (enterprising) person remaining motivated, ambitious, energetic, calculated and responsible for one’s self. “The more enterprising [individuals] are,” O’Malley (1996b) notes, “the better the safety net they can construct” (p. 197). Life, then, becomes a project which must constantly be worked on in order to achieve a planned outcome. As Rose (1992) notes, “The enterprising self is thus a calculating self, a self that calculates *about* itself and that works *upon* itself in order to better itself” (p. 146, emphasis in original). From this sort of citizen, the state can aim to govern through subjects’ goals and freedom (Rose, 1992, p. 147). The individual self is crucial to governing in a liberal-democratic way, as it must have the capacity to regulate its own private sphere in a way that suits the objectives of government.

Enterprising selves, comporting themselves according to principles of prudentialism, are also *empowered* subjects. Barbara Cruikshank (1993) points out the significance that strategies of empowerment hold in the neoliberal project of expanding an enterprise culture. The self-esteem movement is identified as an attempt at enhancing subjectivities, especially those of women and the poor (Cruikshank, 1993, p. 328). Premised upon the inadequacy of the social welfare state, this social movement seeks to solve social problems through individuals; that is, not by revolting against capitalism, racism, inequality, or what have you, but rather by targeting “the order of the self and the way we govern ourselves” (Cruikshank, 1993, p. 328). Self-fulfillment becomes a necessary goal in order to “create a ‘true’ democracy,” as individuals are empowered to responsibly manage risks as they come to us

(Cruikshank, 1993, p. 328). Thus, as social problem-solving is reoriented, self-esteem becomes

a practical and productive technology available for the *production of certain kinds of selves* ... Self-esteem is a technology in the sense that it is a specialized knowledge of how to esteem our selves, to estimate, calculate, measure, evaluate, discipline, and to judge our selves. (Cruikshank, 1993, p. 329, my emphasis)

Operating as a social movement, self-esteem, then, *produces* selves that relate to the social good. In this, Cruikshank (1993) notes, “we make our selves governable by taking up the social goal of self-esteem” (p. 330). This is because self-esteem is a necessary component of one’s capacity to be active, prudent and enterprising in order to effectively manage one’s wellbeing in the ‘post-social’ political context. In experiencing the ‘revolution from within’, or adopting the goal of self-esteem, individuals are compelled to *act* to improve their selves (Cruikshank, 1993, p. 330). As Rose (2000) notes, “High self-esteem is linked to the power to plan one’s life as an orderly enterprise and take responsibility for its course and outcome” (pp. 334-335). Enterprising selves are created through empowering subjects to conduct themselves and regulate their lives according to appropriate ends. As Cruikshank (1999) suggests, empowerment makes up a political strategy which aims “to act upon others by getting them to act in their own interest” (p. 68). Inaction is thus the central target of this political strategy. Powerlessness is the direct result of apathy, which is seen as the central and continuing cause of persistent struggle, particularly among economically and racially marginalized populations (Cruikshank, 1999, p. 76).

Conclusion

As I have outlined above, the refiguring of the social has led to a neoliberal and neoconservative rationality that seeks to govern largely at a distance, through individuals and through shaping the situations and contexts they encounter. Individuals must become active

and enterprising in that they are motivated to enhance their personal wellbeing. Such autonomy requires individual welfare to be a personal responsibility as opposed to a state obligation. The market is increasingly turned to for managing risk, and thus appears to be the most adequate means of preventing harm. My discussion above illustrates the demise of social welfarism as the dominant mode of governance. The lean state and active society is a post-social state in which the 'social' as the main category of governance is succeeded by the 'community', thus characterizing *the rise of neoliberalism as beyond the social*. This also involves a transformation of the notion of citizenship to involve prudentialism, which requires market participation and thus the empowerment and activation of citizens. From this sketch, we see a close link between the rise of the neoliberal (lean) state and its promotion of individualization and activation through market relations, on the one hand, and, on the other, the expansion of a bifurcated crime control regime deploying reactive *and* proactive (i.e., denial and adaptive) strategies.

These trends indicate the broader reconstruction of contemporary Western capitalist states, and by outlining the character of this social context which frames and shapes social institutions and social policies, we can draw a connection between crime control and its contiguous institutions and policies (see Garland, 2001). This, then, provides an analytic frame with which to examine education. As this thesis develops a critical criminology of education, and does not put forward a sociology of education, I am interested here in education's governmental function and how it is deployed as an institution of governance. Given the broad trends discussed above, what are the implications for education as a site and mechanism of governance? How is education today represented and conceptualized? And, can we detect in these representations and conceptualizations traces of the impact of the

broader changes described? In what follows, my concern will be to examine how these phenomena manifest in the context of producing education policy in Ontario.

In the following chapter I will consider literature specifically on education and the various ways the institution has been conceptualized. In doing so, I have kept various ‘sensitizing concepts’ (see Introduction) in mind while examining this literature. These include notions of indirect regulation, strategies of empowerment, prudentialism, enterprise, responsabilization, community, adaptive/denial strategies of crime control, active society, lean state, lean discipline, and market discipline. The sensitizing concepts not only guide the following chapter’s discussion, but also enable a systematic reading of the government documents presented in Chapter Four, exploring the role of education policies in regulatory strategies in Ontario, and more generally Western capitalist societies. Thus, this thesis seeks to provide a deeper understanding of education and its governmental purpose by examining broader trends and the corresponding developments in the education system.

CHAPTER TWO

Education in Neoliberal Capitalist Society

Chapter One traced the general shifts in governance and social organization among Western capitalist societies, such as Canada. I have described this as state restructuring in the direction toward an active society based on the lean state regulatory model. Outlining the combination of developments in social (in)security and crime control provides an analytic framework with which to approach the field of education. In this chapter, prompted by Chapter One's discussion, I explore conceptualizations of education as an institution of governance and consider its regulatory transformation under neoliberalism.

I begin with the human capital understanding of education, influenced by Chicago school economics and monetarism, and then connect this to its conceptualization of crime control. After critiquing this approach as a characteristically *neoliberal criminology*, I turn to critical education and criminological scholarship to develop a broader view of the function of education. I consider the 'criminalization of schools' thesis, and then explore education's place in the process of social ordering through market preparation, or what could perhaps be termed the 'marketization of schools'. This, I suggest, signals transformations in education that correlate with those seen in institutions of crime control and criminal justice, which are grounded in the broader neoliberal trends outlined in the previous chapter. In this context, I argue, education has emerged as a key mechanism of post-social governance largely because of its disciplinary function which is venerated by its perceived capacity to 'train' and 'skill' students for competition in the job market. That is, students are subjected to various forms of discipline: 'penal pedagogy', corresponding with punitive practices; and 'labour discipline' and 'market discipline', corresponding with market needs. Thus, as I will conclude, education is a centrally important political institution of governance which is aligned with

the “criminal process” (Wells & Quick, 2010) in that it produces, through its disciplinary function, post-social selves that are prepared for entry into the lean state.

Human Capital, Education, and Training

With the broad changes sketched out in Chapter One, schooling has come to be considered both a personal and a social investment. Within the ‘active society’ model, which practices Chicago School economics, ‘education’ is widely taken as synonymous with ‘training’, and has thus become a central policy area for neoliberal governance. In the economist’s seminal work *Human Capital*, Gary Becker (1964) considers education an activity that influences “future monetary and psychic income,” as it increases the resources *in* people (p. 1). Such activity is known as investing in “human capital” (Becker, 1964, p. 1). Human capital refers to the intangible entities, as opposed to tangible forms of capital. Human capital, particularly education, is considered an important aspect of the economy. According to Becker (1964), this point is evidenced by the tendency that the more highly educated and skilled individuals “earn more than others” (p. 2). In problematizing human capital theory in education policy, Gillies (2011) succinctly describes human capital theory as a “simple equation” which reads, “the more and better education that individuals possess, the better their returns in financial rewards and the better the national economy flourishes” (p. 225). As such, the notion of human capital is consistent with the monetarist, neoliberal rationality of governance (see Chapter One).

Schooling is understood by Becker (1964) to be an institution that specializes in “the production of *training*” (p. 29, my emphasis). Schools and workplaces are considered to be substitute sources of particular skills (Becker, 1964, p. 29). Investing in human capital, according to Becker (1964), is determined most importantly by its profitability or rate of

return (p. 37). Education is seen as instrumental to economic development, both individually and socially. Human capital theory posits that the ability of an individual is an outcome of the amount one invests in human capital (Becker, 1964, pp. 63-65). Ability, here, refers to one's intelligence quotient (I.Q.) and aptitude, determined by aptitude tests (Becker, 1964, p. 79; Becker, 1993, p. 393). "Ablers persons" are found to earn more because they invest more in education (Becker, 1964, p. 79). Becker (1993) contends that the economic benefits of education have promoted the relevance of human capital in policy discussions, as it is increasingly used by governments confronting issues of productivity (p. 393). As Gillies (2011) suggests, in regards to the United Kingdom's education system, human capital theory has been central in order to reform policy to suit the demands of the global economy (p. 229).¹⁰

Influenced by classical criminologists such as Cesare Beccaria and Jeremy Bentham, and in hopes of resurrecting and modernizing their work, Becker (1974) also applies an economic approach to crime. He argues that strong policies to combat illegal behaviour are a matter of optimal resource allocation (Becker, 1974, p. 45). The economic approach is suggested to be a useful theory of criminal behaviour, as it "dispense[s] with special theories of anomie, psychological inadequacies, or inheritance of special traits and simply extend[s] the economist's usual analysis of choice" (Becker, 1974, p. 2). From this perspective, criminality is predictable, as it is assumed to be rational behaviour. This approach leads Becker (1974) to assume that individuals commit offenses according to its expected utility (p. 9). Thus, people commit crime if its benefits outweigh its costs. Education and crime are

¹⁰ Stephen McBride (2000) has pointed out that "no policy area exists in a vacuum" and that many fields are "bound to be conditioned by the overall economic paradigm that shapes economic and social policy generally" (p. 159). The dominant economic paradigm, since the mid-1970s, has been neoliberalism (McBride, 2000, p. 159). Though he focuses on labour-market policy, McBride's piece indicates the increasing influence of human capital theory on social policy in Canada.

closely connected, as Becker (1974) suggests “a rise in the income available in legal activities or *an increase in law-abidingness due, say, to ‘education’* would reduce the incentive to enter illegal activities and thus would reduce the number of offenses” (pp. 10-11, my emphasis). This model implies that crime will increase as an individual’s income from the labour market falls and will decrease if the risk of punishment rises (Becker, 1974, p. 12). Such a condition essentially depends upon how much one is worth, which is contingent upon how much one has invested in oneself. Becker (1993) explicitly makes the connection between human capital and crime, as he suggests crime is partly determined “by the economic and social environment created by public policies, including expenditures on police, punishments for different crimes, and opportunities for *employment, schooling, and training programs*” (p. 390, my emphasis).

Critical education scholars¹¹ and criminologists have criticized Becker’s theories, as well as rational choice theories more generally (see, e.g., Hirschi, 1971, chap. 2; Clarke, 1980; Posner, 1985). In terms of an economic approach to crime, Becker’s rational offender constitutes what is known today as rational choice theory, situational control theory, or more generally, control theory. This theory focuses on the criminal event and seeks measures for the *prevention* of crime. There are two emphases according to the crime prevention rationale: the reduction of opportunities for crime and the increase in risk of being caught for committing a crime (see Downes, Rock, & McCormick, 2009). Following Hirschi’s (1971) suggestion that “[t]he question ‘Why do they do it?’ is simply not the question the theory is designed to answer” (p. 34), control theory completely neglects the question of motivation. Instead, focus is on the effectiveness of control mechanisms as the explanation for deviant

¹¹ I return to critical education scholarship later in this chapter. For the moment, however, it is important only in pointing specifically to the critiques of human capital theory.

behaviour. As Downes et al. (2009) note, situational crime control can divert attention from difficult social and economic conditions that its supporters consider “too remote for contemplation,” such as inequality (p. 251). The focus on situational crime prevention is a corollary of approaching crime and deviance as a normal and commonplace feature of contemporary society. This position, then, makes up one part of what Garland (2001) has termed the “the new culture of crime control” (p. 175, 182-187): a criminology of everyday life, normalizing crime and its management as a responsibility of individuals. In contrast with the criminology of the other, the criminologies of everyday life, as the discussion on human capital theory attests, are *economic*, indicating a marked shift from a ‘social’ to an ‘economic’ style of reasoning (Garland, 2001, p. 188). Thus, the human capital approach is a neoliberal criminology, paradigmatic of the active society, in that it responsabilizes individuals to manage the risk of crime.

Human capital theory focuses on the individual and individual choice (Gillies, 2011, p. 235). According to Bowles and Gintis (1975), this individual choice model is “superficial” as it fails to account for social class, and is not useful for theorizing the supply of educational services (p. 78). One must take into account “the people production process,” which includes the workplace and schools (Bowles & Gintis, 1976, p. 53). A fundamental problem of Becker’s approach is in conceiving of inequality of economic opportunity as distinct and separate analytical units (Bowles & Gintis, 1976, p. 88; see also Bowles & Gintis, 2002). Bowles and Gintis (1976) point to the function schools serve in (re)producing the accepted ideology justifying the capitalist enterprise that stratifies according to race, sex, education, and social class (p. 55). The legitimation of economic inequality is achieved through education as it assigns individuals to unequal positions through a “meritocratic mechanism,” which reinforces the notion that economic success is dependent upon technical and cognitive

skills that schooling provides (Bowles & Gintis, 1976, p. 103). This is merely a façade, however, as “[t]he educational meritocracy is largely symbolic” (Bowles & Gintis, 1976, p. 103). As Bowles and Gintis (1976) note, this way of rewarding and labeling personal characteristics (i.e., success or failure to acquire the ideal skills and disposition for the capitalist economy) marks “the need of a privileged class to justify an irrational, exploitative, and undemocratic system” (p. 108).

Bourdieu (1986) suggests that human capital theory is unaware of education’s role in reproducing the social structure in that it “sanction[s] the hereditary transmission of cultural capital” (p. 244). The notion of cultural capital rejects human capital theory as it points to the structure of the unequal likelihood of profit according to class (Bourdieu, 1983, p. 244). Human capital theory fails to notice “the best hidden and socially most determinant educational investment, namely, the domestic transmission of cultural capital” (Bourdieu, 1986, p. 244). By solely focusing on economic capital, the human capital economists are unaware of scholastic achievement’s dependency upon the individual’s family’s previous investment in cultural capital (Bourdieu, 1986, p. 244).¹² Thus, the system and its “socioeconomic, cultural, and political context” are left unquestioned (Gillies, 2011, p. 235). As Gillies (2011) notes, Becker developed human capital theory in a “particular neoliberal way” (p. 227), as it attributes unequal outcomes to individual shortcomings regarding choices. Thus, it embraces many of the characteristics outlined in the previous chapter, particularly that of the trend toward individualizing social problems, and the responsabilization of individuals.

¹² I return to Bourdieu’s concept of cultural capital in the next chapter. For the moment, it is important to note that capital comes in various forms, which economic analysis tends to disregard.

Sears and Hyslop-Margison (2006) point to the way education has been reformed to meet with and reproduce the neoliberal notion of citizenship. Within the neoliberal context, “schooling for the masses became education for human capital preparation while democratic education was essentially reserved for the economic elite” (Sears and Hyslop-Margison, 2006, p. 3). Education is a means to develop human capital, and therefore education becomes defined as a provider of necessary skills to succeed in the labour market.¹³ Human capital learning prepares students to simply “play out their predetermined role in the burgeoning global economy” which requires students to “[accept] the present labour market situation as an unavoidable condition of social reality” (Sears & Hyslop-Margison, 2006, p. 14). This preparation is also considered to take the form of indoctrination, pushing students to accept ideas and beliefs uncritically, masked by the façade of citizenship education (Sears & Hughes, 2006, pp. 3-4). Through this preparation, students are indoctrinated toward a “neoliberal world view,” creating consumers rather than citizens (Sears & Hyslop-Margison, 2006, p. 15).

Education and Crime Control

Others have advanced critical understandings of the nature of education and the role of the institution of education in contemporary neoliberal society. Henry Giroux (2008) approaches education and crime control in a markedly different way compared to Becker, pointing to the way crime has become central to school management, or what has been termed the ‘criminalization of schools’. His work sets up the social, cultural, political, and

¹³ Neil Postman (1996) offers a lucid criticism of this aspect of the human capital understanding of education, referring to it as “the god of Economic Utility” (p. 27). This narrative conceives of humans as “economic creatures,” and that one’s worth is determined in one’s “capacity to secure material benefits” (Postman, 1996, p. 28). He argues that economic utility is merely a by-product of a good education, and that “[a]ny education that is mainly *about* economic utility is far too limited to be useful, and, in any case, so diminishes the world that it mocks one’s humanity” (Postman, 1996, p. 31, emphasis in original).

economic context of the United States in order to understand the ways in which the logic of the market governs all aspects of social life. Unlike an economic approach to social issues, a critical approach offers a broader view, aiming to reveal the significance of the post-social political context (O'Malley, 1996; Rose, 1996) and lean state restructuring (Sears, 1999; Walters, 1997) in governance. Giroux (2008) suggests that the current (and still changing) nature of “power, control, and rule in the United States” can be understood as constituted by new forms of *fascism* and *authoritarianism* (p. 18). Authoritarianism in the United States adopts a guise different from its previous form, which Giroux (2008) refers to as “proto-fascism” (p. 19). Identifying the various elements of proto-fascism, Giroux (2008) focuses particularly on the “growing militarization of public space and culture,” which he argues poses a severe threat to American democracy (p. 38). Militarization, here, is understood as a process distinct from the preparation for war or ‘militarism’. Rather, it is a process of intensifying the allocation of labour and resources to the military, which includes synchronizing the purposes of other institutions with military goals (Giroux, 2008, p. 40, drawing on Catherine Lutz; see also Robbins, 2008, pp. 97-104).

The school, as a result of this ‘domestic militarization’, has become a public sphere which has been influenced by, and reinforces, proto-fascist military culture and values, imposing zero-tolerance policies which transform public schools into “prison-like institutions” (Giroux, 2008, p. 44; Giroux, 2003, p. 59). This resonates with the previously mentioned notion of the ‘exceptional state’; indeed, Ratner and McMullan (1983) observe the denouncement of “progressive educational methods” and the “gradual return to traditional authoritative methods in the school” among exceptional states (pp. 35-36). Children’s rights are disregarded on the grounds that strategies such as surveillance technologies, armed guards, and lock-down drills *keep children safe* (Giroux, 2008, p. 45).

These strategies constitute what Giroux (2008) refers to as the “not-so-hidden curriculum” – the more or less explicit lessons learned in the process of schooling – which is teaching children the conditions of a police state and proto-fascism, including the acceptance of military sanctioned practices (p. 45). With the militarization of domestic life, Giroux (2008) argues that youth are primarily disciplined through containment policies, and as a result, graduation from the school “training ground” does not lead to a job, but rather to *different* containment centers such as prisons and jails in order to patrol and monitor marginalized youth, preventing them from impeding on the safety of middle-class populations (p. 46; Giroux, 2003, pp. 61-62). Here, the school is essentially regarded *as a prison*. School is argued to provide a “direct pipeline for many black kids into joblessness, poverty, and the criminal justice system,” thus giving rise to the “prison-industrial-educational complex” (Giroux, 2008, p. 47; Giroux, 2003; Robbins, 2008, p. 50).

The notion that schools serve functions similar to prisons is convincing, particularly when analyzing zero-tolerance education policies. Under zero-tolerance, students who misbehave (which is broadly conceived) are punished harshly through suspension or expulsion from public school (Giroux, 2008, p. 92). The growth of zero-tolerance in schools is understood in relation to the “broader crisis of democracy,” as the market increasingly controls pedagogy and the state is geared towards militarizing, containing, and monitoring particular student populations, mostly those of poor, urban, and racial minorities (Giroux, 2008, p. 97).¹⁴ However, Jonathan Simon expands the criminalization of schools thesis to

¹⁴ Though Giroux’s work is helpful in that he situates education and crime in a broader set of categories which enables a critical understanding of the underlying social, economic, and political forces relevant to these issues, he also offers many generalizations pertaining to the domination of particular populations, from an explicitly normative framework. As a social critic, he is quite clear as to how circumstances *ought to be* changed, which is essentially a restoration of the social welfare state. This is clearly exemplified in the following:

As the social state is reconfigured as a punishing state, youth become ... a potential danger to society ... Youth embody an ethical referent that *should* require adults to question the prevailing economic

also pertain to school systems across social and economic strata. He contends the governing through crime model for schools is ubiquitous, and thus a punitive disciplinary regime is increasingly applied to all student populations. In focusing on the way crime influences lawmaking and legislation, Simon (2007) suggests that crime control has become a model problem for various policy areas. As Simon (2007) notes, “it is crime through which other problems are recognized, defined, and acted upon” (p. 14; see also Kupchik, 2010; Lyons & Drew, 2006).

Crime, or more precisely *fear of crime and victimization*, is used by government to exercise its power to manage the population by mobilizing support for policies in various areas (Simon, 2007, pp. 21-23). Among the various policy areas, policymakers have approached education with a significant focus on crime and violence. Simon identifies crime as an axis around which to reevaluate the role of schools, as he suggests

it is crime that dominates the symbolic passageway to school and citizenship. And behind this surface, the pathways of knowledge and power within the school are increasingly being shaped by crime as the model problem, and tools of criminal justice as the dominant technologies. . . . One result is a reframing of students as a population of potential victims and perpetrators. At its core, the implicit fallacy dominating many school policy debates today consists of a gross conflation of virtually all the vulnerabilities of children and youth into variations on the theme of crime. (Simon, 2007, p. 209)

Crime, then, is considered a significant aspect of the schooling experience, which must be dealt with. This case leads to the cohesion of the education system and juvenile delinquency. As Simon (2007) puts it, we are witnessing a “legal ‘leveling’” between both enterprises, encouraging “the merging of school and penal system” (p. 209). As a result, schools are

Darwinism and the future it emphatically denies in favor of an eternal present subject only to the market-driven laws of capital accumulation. (Giroux, 2009, p. 72, emphasis in original)

As we have seen in my discussion in Chapter One, the reconfiguration of the social state has produced more than a ‘punishing state’; instead, the outcome has been one of a post-social, active society in which all citizens are involved to some degree. Though I am sympathetic to Giroux’s enterprise, I am hesitant about such a normative agenda’s capacity to provide a *critical understanding* of the problem(s) it is tackling (see Garland, 1999).

administered in a top-down fashion, according to “a highly authoritarian and mechanistic model” (Simon, 2007, p. 209). This is most apparent in the presence of police in schools, particularly when it is considered an ordinary security strategy (Kupchik, 2010, p. 77).

Discipline becomes a central goal of schools, thus leading schools to ‘teach to the rules’ – that is, school rules are taught in a way that only demands compliance (Kupchik, 2010, p. 118). Importantly, Kupchik (2010) suggests police presence and the pursuit of rule adherence in schools shapes students’ future relations with authority (p. 158). Thus, Kupchik (2010) predicts that future cohorts of young adults will likely be docile as a result of internalizing school discipline and later workplace discipline (p. 158). This model of discipline complements market discipline to remind students, as Sears (1999) would say, that behaviour which does not comply with market relations is punishable and may be dealt with coercively.

Crime in schools is not an imagined issue. On the contrary, serious (violent) crime is a real problem in some schools in the United States. However, the number of schools that experience violence directly is far fewer than policy makers would have the public imagine (Simon, 2007, p. 210). Distorting an issue which mostly affects particular schools, resulting in a new paradigm for which the entire education system must follow, Simon (2007) suggests, is an indication of the “hold of crime over our contemporary political imagination” (p. 213). This is consistent with the notion that ‘crime as a normal social fact’, which Garland (2001) has pointed out, impacts more widely than criminal justice, influencing other institutions such as education. Framing all schools as being at risk of crime has consequences for the institution of schooling in terms of pedagogy and governance (Simon, 2007, p. 213). As a result, crime control comes to be seen as pivotal to the educational objectives of schools. A formula made up of “drugs, violence, and lack of discipline,” stipulates Simon (2007), has been productive in the reshaping of education in that it elicits fear of violence in

risky areas; it connects drugs and violence, bringing the majority of schools into the problem; and, it links these to the problem of a lack of student discipline which is associated with school achievement, thus making crime control an approach to improving the educational function of schools (pp. 214-215).

The function of education, then, remains as a distributor of ‘capital’ from training and skills development. But, with this, education also takes on the dual objective of reduced crime and increased integration into markets including labour. As Simon (2007) suggests, by the mid-1990s the primary problem concerning education was violent crime, which could be tackled by expanding the presence of security and technology within schools (p. 215). Police relations with schools do not merely offer a service function as they did in previous years. Rather, with the Safe Schools Act of 1994 in the United States, police “were to become a moralizing force” (Simon, 2007, p. 215). This means that school authorities are encouraged to identify and tailor law enforcement practices and policies to the school setting. Ultimately, the notion of the school as a potentially dangerous environment leads to crime being the central focus of school governance. Changing mandates and redefining goals within the policing sector is, as discussed above, what Garland (2001) terms a strategy of adaptation, which contributes to the formation of “a third ‘governmental’ sector [alongside policing and penal solutions] – the new apparatus of prevention and security” (p. 170). Today, the school makes up a part of this ‘governmental sector’, and has thus been a fundamental component to the reconfiguration of crime control. As Garland (2001) suggests, “To the extent that ‘the government’ succeeds in organizing, augmenting, and directing the social control capacities of citizens, corporations, and communities, it simultaneously extends its governmental reach and transforms its mode of exerting control” (p. 171).

Simon outlines several mechanisms that have made it possible for schools to govern crime in accordance with the Safe Schools Act. First, the demonstration of a clear problem of crime, usually in the form of “information streams,” required in order to gain federal funding makes crime visible, establishing a significant tool for evaluating schools and school officials (Simon, 2007, p. 217). Second, and related to the first, schools must make it clear to their community of self-interested persons (e.g., parents, community residents) that its students experience crime. Making the community aware of and involved in the school crime and safety issue is intended to encourage the development of a “crime constituency in the community” (Simon, 2007, p. 217). This resonates with the notion of community as an important aspect of governing, and pertains to the empowerment of citizens to manage risk (Garland, 1996; Rose, 1996; Cruikshank, 1999). Third, the Act hardens disciplinary protocol, as school districts must detail their approach to suspension and expulsion, and operate in cooperation with police (Simon, 2007, p. 218). Lastly, schools must construct a “crime-fighting strategy,” which means adopting technological and expert resources to achieve a pre-established (and publicly available) set of goals pertaining to crime reduction (Simon, 2007, p. 218). The overall goal of fighting crime in schools changes the “educational experience and status of students, teachers, and administrators in ways that will endure even when the specific conditions that called them into being have disappeared” (Simon, 2007, p. 219).

Thus, Simon’s work does not represent a rejection of Giroux’s idea of schools serving as a pipeline into the juvenile justice system. Rather, Simon expands this argument to point to the way crime is not only governed through schools, but also the way *crime governs education*. As one component to the strategies of adaptation, we see the governmental capacities of the school being enlisted for crime control. Thus, the significance risk of crime

has garnered in educational concerns facilitates the overall neoliberal project of governing at a distance, as it engages the self-governing capacities of individuals and their communities. As a result, neoliberal regulatory strategies manifest in the school through seeking to empower and responsabilize individuals to be prudent about their wellbeing, in turn directing subjects to markets.

The broader political transition from reliance on state intervention for matters of crime control toward a mode of governance through civil society has resulted in education responding by introducing a practice of teaching that borrows directly from criminal justice, which Simon (2007) terms “penal pedagogy” (p. 220). The adoption of penal practices is, for Simon (2007), the response most suggestive of “the passage from governing crime to governing through crime” (p. 221). The penal pedagogy, then, allows schools to govern through crime on top of governing crime. The school practices that suggest guidance from penalty include uniforms, zero tolerance policy, and in-school detention (Simon, 2007, p. 221). Uniforms invest students (and parents) with a “distinct identity as a governed subject” encouraging these subjects to *govern themselves* and their peers in a particular manner (Simon, 2007, p. 221).¹⁵ Zero tolerance calls for certain and specific (punitive) responses to particular behaviours (Simon, 2007, p. 222). Thus, uniforms and zero tolerance contribute to standardization in that students learn to identify with, and comport with, expected behaviour. As Raby (2005) argues, dress and discipline codes are mechanisms to secure internalized discipline, creating subjectivities and cultivating “internalized governance,” creating future

¹⁵ It should be noted that I am not suggesting that the idea of education as involved in disciplining subjects and governing is a new development. Instead, I am outlining various academic conceptualizations on how this role is carried out today. I touch on this matter later in this chapter in considering some historical analyses of the origins of educational systems and practices.

adults that are fit for neoliberal capitalism (p. 73). For less serious misbehaviours, detention is a sanction growing in popularity.

On top of these practices, more behaviours which previously escaped school responses, are becoming subject to disciplinary procedures. That is, schools under the new penal pedagogy are “defining deviance up” (Simon, 2007, p. 224); hence the problems of aggressive and bullying behavior gaining more attention than ever before. A direct connection can be drawn between defining deviance *up* within schools and what Garland (1996) considers a major system of adaptation within criminal justice: the tendency to limit the demand placed on crime control agencies through devices that “define deviance *down*” (p. 456, my emphasis). Defining deviance down helps alleviate the pressure on the crime control “net” that is “in danger of bursting” by allowing minor offences and offenders “slip” through (Garland, 1996, p. 457). But, defining deviance *up* within schools tends to form a sort of *new net* on which problems dodged by crime control agencies can fall. Thus, education ultimately takes up the slack left by the criminal justice system. In other words, education is aligned with the “criminal process” (Wells & Quick, 2010, p. 19) – the complex of institutions, professionals, policies, and practices that govern through the formal techniques of criminal law. Education is one method of “defining and dealing with ‘deviance’, ‘anti-social behaviour’ or ‘wrongdoing’” as it is one aspect of the “total set of practices, norms and institutions which seek to shape our attitudes, producing a variety of social norms and directing our internalisation of those norms” (Wells & Quick, 2010, p. 19). Indeed, Wells and Quick (2010) point to the education system’s relevance to the criminal process in its capacity to construct and enforce social norms (p. 20).

Simon (2007) suggests that the criminalization of schools is unlikely to foster much resentment since “it links the governance of schools to the problem of parental insecurity

about their children at school” (p. 230). The threat that schools pose to children is imagined to be far too significant for parents to be hesitant toward zero tolerance policies and security strategies. Statistics of school crime (made necessary by the *Safe Schools Act*) feed parents’ fears and lend support for the implementation of punitive procedures adopted from the juvenile justice system (Simon, 2007, p. 230). Simon (2007) proposes that if schools resemble prisons today, it is because both institutions’ most important problem, which enables their expansion and perpetuity, is crime (p. 231). Here, Simon’s projection is explicitly opposed to the notion that both prisons and schools are similar due to their disciplinary methods and purposes. In fact, he points to both institutions’ denial of “their capacity to do much more than sort and warehouse people” (Simon, 2007, p. 231).

Thus, the school is involved in what Spitzer (1975) terms the ‘process of deviance production’, which finds its source in the surplus population generated by the capitalist mode of production and the contradictory outcomes of institutions designed to maintain the capitalist system. The capitalist mode of production forms the infrastructure, or economic forces, which results in the superstructure of society (Spitzer, 1975, p. 641). The superstructure makes up a “system of class controls” institutionalized in many settings, including the school (Spitzer, 1975, p. 641). The superstructure’s most important function is in regulating “problem populations,” which may come to be known (and needing management) as deviant as soon as their existence “threaten[s] the *social relations of production* in capitalist societies” (Spitzer, 1975, p. 642, emphasis in original). Producing deviance results in a division of problem populations into two categories. On the one hand, “social junk” is formed from “the failure, inability or refusal of this group to participate in the roles supportive of capitalist society” (Spitzer, 1975, p. 645). On the other hand, “social dynamite” is marked by a group’s potential “to call into question established relationships,

especially relations of production and domination” (Spitzer, 1975, p. 645). Controlling deviant populations is equivocal, as they may be dealt with as social junk *and/or* social dynamite depending on the “political, economic and ideological priorities of deviance production” (Spitzer, 1975, p. 646). Social junk requires regulation or containment, as it presents a passive threat to the capitalist system, while social dynamite is characterized by its capacity to evoke political volatility. Along the same lines as Garland (1996, 2001), Spitzer (1975) posits that state intervention will increasingly focus on general-preventative controls, seeking to assimilate potential troublesome populations rather than segregate them (p. 648). Thus, after defining what is deviant, the state may intervene through normalization, conversion, or containment (Spitzer, 1975, p. 649).

Paul Hirschfield (2008) continues in a similar vein as Simon, suggesting that the “traditional disciplinary project of American mass education is slowly crumbling” in favour of criminalization: the steady “shift toward a crime control paradigm” to define and manage student deviance (Hirschfield, 2008, p. 80). Hirschfield (2008) puts forward three crucial dimensions of school criminalization to help understand why schools now “look, sound, and act more like criminal justice institutions” (p. 81), which reflect what others have posited above. First, school punishment is more formal and actuarial, most clearly exemplified by the expansion of zero tolerance school policies across the United States. This development has resulted in dealing with student deviance by tending to “the nature of the offense” instead of relying on the discretion of school authorities (Hirschfield, 2008, p. 82), mirroring the actuarial logic of the “new penology” (Feeley & Simon, 1992, 1994). Second, and related, the increased frequency of suspending and expelling students for misbehaving. This practice follows and endorses the deterrence and incapacitation logic of criminal justice (Hirschfield, 2008, p. 82). Third, schools have imported criminal justice, illustrated by the “technology,

methodology, and personnel [used] for disciplinary and security purposes” (Hirschfield, 2008, p. 82). Hirschfield stresses that the criminalization process has been complex, as school discipline enforcement varies across school demographics and locations, though crime control inspired practices are on the rise across schools in the United States. Thus, he points to the different ways these trends have impacted upper and middle class schools in different ways, observing that “the gated community may be a more apt metaphor to describe the security transformation of affluent schools, while the prison metaphor better suits that of inner-city schools” (Hirschfield, 2008, p. 84; see also Lyons & Drew, 2006, chap. 4).

The divergence of altered school disciplinary and security regimes between and within school jurisdictions is traced to *deindustrialization*, which shifted discipline as a productive mechanism to one premised on a warehousing function, and *criminal justice expansion*. These structural conditions have influenced the way schools have pursued credibility by borrowing from penal trends through policymaking (Hirschfield, 2008, p. 91). Structural factors also influence individual actors operating within schools (e.g., students, teachers, criminal justice agents in schools, etc.). According to Hirschfield (2008), both levels of influence figure prominently in crime becoming the central route of governing *urban schools*, leading to diverging disciplinary regimes between urban and suburban schools (pp. 91-94).

However, Simon’s (2007) ‘governing through crime’ framework posits the centrality of crime in the governance of *all* of the United States, not particular localities within it. As he argues, “the very real violence of a few schools concentrated in zones of hardened poverty and social disadvantage has provided a ‘truth’ of school crime that circulates across whole school systems” (Simon, 2007, p. 210). Kupchik (2009) reinforces this, as he finds distinctions *and* similarities across four public high schools. Harsh and invasive policies and

practices “once limited to urban schools or schools serving low-income youth of color” were deployed by all four schools, thus leading him to confirm that “school discipline policies at each school reproduce the culture of control” (Kupchik, 2009, p. 302). Beyond policies and practices borrowed from, or legitimated by, crime control to deal with behavioural issues within schools, Simon (2007) extends the criminalization of schools thesis as having *symbolic* relevance. An extension of the crime model in education and “a *leap in the generality* of crime as a model for governing schools” (Simon, 2007, p. 226, my emphasis) is seen in *educational failure*: a non-crime problem, lacking academic achievement, is now governed in a way that schools are punished if students do not demonstrate academic achievement by way of standardized testing, thus resonating with the crime/punishment/victim rights model of governance (pp. 227-229). Thus, although there is certainly divergence in some school practices based on racial/ethnic/class divisions, it has also been illustrated that the governance of schools through crime affects all schools regardless of socio-economic circumstances (though, of course, to different degrees).

Although Robbins and Kovalchuk (2012) consider zero tolerance/criminalization as a widely used discipline regime reserved largely for students of colour, they also identify another set of practices intended for other students which have recently emerged: school- and district-wide behaviour programs (Robbins & Kovalchuk, 2012, p. 199). Behaviour programs dovetail with the drive to criminalize youth, according to Robbins and Kovalchuk (2012), as both disciplinary regimes provide a “not-so-hidden curriculum” containing “messages” or lessons “about power, control, and authority” (Robbins & Kovalchuk, 2012, p. 200). As mentioned above, ‘hidden curriculum’ refers to the implicit learning within the school environment, and though students are not tested on these lessons, they are required to master the material (Robbins & Kovalchuk, 2012, p. 200). Rather than suggesting a

disappearance of discipline as noted above, Robbins and Kovalchuk (2012), following Foucault, stipulate that discipline is reorganized, redefined, and rearticulated; that is, discipline has been “delegated to individuals” to shape the population by “forcing individuals into ever greater relationships with the market” or those that operate according to the neoliberal principles of “hyper-individualism, competition, and fragmentation” (p. 201). This is found explicitly in behaviour programs, as students are introduced to behaviours that associate with “responsibility, respect, order, complicity, obedience, and accountability,” all which characterize the “neoliberal subject whose roles are redirected by neoliberal forces in a way that, on one hand, he or she is a compliant worker and politically passive citizen, and, on the other hand, an active consumer” (Robbins & Kovalchuk, 2012, pp. 206-207, reference omitted).

Thus, there is more at work here in the practice of behaviour programming than racist commitments of neoliberalism and its racial politics (though Robbins and Kovalchuk certainly are not wrong for pointing to its significance). Behaviour programs indicate a (‘not-so-hidden’) commitment in education policy to ‘extend market discipline’ (Sears, 1999) into schools to prepare students for markets (e.g., labour, consumer, higher education). As Robbins and Kovalchuk (2012) suggest, “It [a particular behavioural program] has become a disciplinary curriculum that teaches students ‘appropriate’ behaviours and disciplines them for their adulthood where a possession of ‘appropriate’ behaviours, attitudes, and skills can result in a financial reward” (p. 212). Behaviour programming is an individualist, consumption-based disciplinary regime and curriculum for students to master, as ‘appropriate’ behaviour mirrors Sear’s (1999) ‘lean ethos’. At the same time, criminalization reflects the mode of discipline used for those who deviate from the norms of the lean state: coercive discipline. In this way, criminalization, though corresponding with the ‘strategy of

denial', might also be seen to operate here as an 'adaptive strategy' because of its disciplinary capacity. That is, coercive discipline operates to suppress behaviours and norms that are incongruous with wage labour in order to further promote and extend market relations (Sears, 1999; see also Gordon, 2005).

Markets and Education

The criminalization of schools thesis illustrates the centrality of crime in governing schools and the (re)alignment of education with 'the criminal process'. This perspective conceives of schooling in contemporary society largely as a top-down, authoritarian process in which student populations are managed as potential victims and/or potential criminals. That is, contemporary schooling demonstrates a clear concern with controlling and managing 'problem populations'. Thus, it confirms what has been discussed on the reconfiguration of crime control in Chapter One. Along with this aligning of education and crime control, though, there is another central feature in the organization and operation of education: the alignment of education with markets. Here, I turn to the subtle, more indirect forms of control and regulation through the field of education, which supplement the techniques of governing through crime. I suggest that the nexus between crime control and education also involves the restructuring of education to move closer to what is needed for 'lean production' and 'lean citizenship'.

In *Retooling the Mind Factory*, following his notion of 'lean state' restructuring, Alan Sears (2003) argues that education reform, in relation to cultural and economic changes, is an aspect of a "broad-ranging neo-liberal agenda" which advances the relevance of the market in more aspects of individuals' lives (p. 3). This is done largely by working through education's crucial role in the process of citizenship formation. Instead of operating as an

inclusionary citizenship strategy as it did for much of the broad welfare state period, “we are seeing a profound redefinition of education to *align with new conceptions of citizenship associated with the lean state*” (Sears, 2003, p. 57, my emphasis). Today, following a neoliberal agenda, education reform seeks to shift the focus of schools, colleges and universities to prepare individuals for the market.¹⁶ In preparing young people for the labour market, education aims not only to augment skills but also to diminish the expectations associated with the broad welfare system (Sears, 2003, p. 71). New expectations are made to correspond with the new realities of a “lean world,” which means restructuring education to meet “new disciplinary requirements” (Sears, 2003, p. 71). Lean discipline, combining increased stress and forms of self-subordination practiced in lean production, replaces the significance formerly held by the focus on citizenship-formation in education (Sears, 2003, p. 72; Sears & Hughes, 2006). A vocational view of education combined with undermining the culture of citizenship develops a market orientation in education (Sears, 2003, pp. 72-82). Lean schooling teaches students to look toward the market for their identity, redefining school life in terms of work, an increased level of competition to not fail, “an *individualization of responsibility*,” and a pedagogical remodeling to approach students as “developing *entrepreneurs and consumers*” (Sears, 2003, pp. 78-79, my emphasis; see also Bauman, 2012; Bragg, 2007; Dahlstedt, 2009; Dahlstedt & Hertzberg, 2012).

As I alluded to earlier, responsabilization involves a discourse of community.

Approaching education instrumentally, as a means of gaining employment, also involves

¹⁶ Carroll and Beaton (2000) suggest that higher education fits neatly within neoliberal regimes, as the institution’s key activities of research and skills development are availed as resources for national economic development (p. 72; for a discussion of corresponding internal shifts in university governance, see Rhoades & Slaughter, 1997). This has led to the significant development of the campus increasingly identified as a site geared toward enhancing the capacity for “profit-making” at the individual, business, and state levels (Carroll & Beaton, 2000, p. 72). Miller (2003) argues similarly that within a neoliberal context, the notion of human capital leads to “the idea of higher education as an industry, and students as investors” (p. 898).

orienting education toward constructing a sense of ‘community’. The lean state emphasizes community to provide services formerly regarded as the state’s responsibility (Sears, 1999, p. 102). A key component in the development of entrepreneurial education, according to Dahlstedt and Hertzberg (2012), is schools’ engagement in collaboration and “partnerships” with the community and local labour market (pp. 249-253). Dahlstedt (2009) argues that partnerships in education make up a range of governing techniques aiming to produce partnering (i.e., active, responsible) citizens (p. 790). The lean ethos of the productive citizen necessitates working not only for a wage, but also for free, “as we all [must] pitch in together to fill in the void left by cuts to social programs” (Sears, 2003, p. 81). Sears (2003) points to the mandatory forty hours of volunteer work for Ontario students as a clear indication of this approach (p. 81), though we can also see this in ‘co-operative learning’ programs and other university ‘placement’ programs. For the most part, this form of education teaches the value of altruism, emphasizing an orientation toward volunteerism and civic duty, but fails to have students question and challenge the economic and political conditions that create the social problems this ‘education’ targets (e.g., homelessness, poverty, etc.) (Sears & Hyslop-Margison, 2006, p. 20).

“Service learning,” as Sears and Hyslop-Margison (2006) describe it, largely leads students to be complicit “in the support of neo-liberalism by helping ease its worst and most visible abuses” (pp. 20-21). That is, through the ‘service learning’ model of education, social problems brought on by the neoliberal economic structure are understood as problems of individuals (i.e., individualized), and teaches students that the responsibility to (temporarily) ameliorate those problems is properly directed to individuals and communities (i.e., responsabilization). This forced volunteerism creates a pool of unpaid labour through convincing students that volunteer experience offers credentials necessary in a competitive

job market (Sears, 1999, p. 102), thus contributing to the vocationalist ethos of schooling that emphasizes work habits and aligning personal life goals with employers' needs. Lean education, then, is more about cultivating particular *attitudes* than skills development despite much human capital-influenced rhetoric surrounding education reform. Targeting attitudes means that education is “about the development of new subjectivities more closely attuned to the requirements of the labour market” (Sears, 2003, p. 73; Sears, 2000, p. 153, references omitted).¹⁷ In this way, following O'Malley (1996a,b) and my discussion in Chapter One, we can see community operating both as a site and category of governance through the school.

Thus, ‘labour discipline’ is an important aim of the “new vocationalism” in education – that is, the retooling of the education system to focus on labour market preparation – as the proper *attitude* is increasingly deemed an important ‘skill’ by employers (Sears, 2000, pp. 152-153; see also Peters, 2005, p. 133). At the same time, ‘market discipline’, as described in Chapter One, makes up another part of the new vocationalism. Lean schooling not only develops subjectivities suitable for the labour market (as with labour discipline), but also aims to teach students “how to *realize* themselves *through* the market” by making themselves ‘marketable’ and meeting their needs by navigating through the market (Sears, 2003, p. 78, my emphasis). This involves developing ‘enterprising skills’, and attitudes

¹⁷ See Bowles and Gintis (1976), who suggest that the education system integrates youth into the capitalist economic system through a “structural correspondence” between the social relations of the school and those of work. The school’s social relationships between administration, teachers, and students, then, replicate the hierarchical division of labour. In school students encounter alienated labour and fragmented work which they will encounter in the economic system, thus replicating economic relations of dominance and subordination (Bowles & Gintis, 1976, p. 125, 131). Not only does the structure of the school’s social relations condition students for the labour discipline they will encounter in the work place, but it also “develops the types of *personal demeanor*, modes of *self-presentation*, self-image, and social-class identifications” necessary for “job adequacy” (Bowles & Gintis, 1976, p. 131, my emphasis).

The work of Sears (2003) makes a case for the correspondence principle that attempts to avoid Bowles and Gintis’ “structuralism” by focusing on “the mediation of the state” (p. 23). Rather than understand the education system as necessarily functioning in a way that ensures the reproduction of capitalist society, Sears (2003) is interested in the way the state handles the contradictory relationship between the labour market and understandings of citizenship, which shapes education (pp. 23-24).

encouraging ‘self-reliance’, ‘network-building’, ‘informed risk taking’ and ‘flexibility’ within students (Sears, 2003, pp. 78-79, reference omitted). All of this points to the logic of prudence in education, or as Michael Peters (2005) would say, “a ‘new prudence’ in education” (p. 123). Education, when addressed to the ‘enterprising self’, becomes a self-investment and thus supports the neoliberal regime that promotes responsabilizing individuals for their own welfare by insuring themselves against risk through rational calculations based on actuarialism. As Peters notes,

Prudence refers to the new form of insurance against risk that is ‘forced’ onto individuals as consumers in the social market. This mode of ‘forced choice’ encourages the type of ‘responsibilization’ I refer here to as ‘actuarial rationality’: in making consumer choices concerning education as a service, individual consumers in effect become actuaries who must calculate the risks of their own self-investment. ... Increased risk is a necessary consequence of forcing the consumer to become responsible for his or her own safety, health, employment, and education. We might call this a prudentialization of social regulation: we are forced to be prudent in our choices (as part of a wider moral discourse), and managing the risks associated with the social hazards that face us in modernity. (Peters, 2005, p. 131, 132)

Under neoliberalism, then, the lean disciplinary regime in education is part of an adaptive strategy of responsabilization. Education operates as a means of developing individuals’ capacities to self-govern by enhancing their enterprising skills. Approached as a process of ‘skilling’, or human capital development, education also comprises a crucial first step in being prudent, as success (or failure) in school is seen to shape students’ futures. Thus, education becomes one part of the new strategies of control by employing its capacity to indirectly manage populations through promoting lean discipline.

Within the post-social political context, along with the market the school emerges as a site of governing through developing ‘lean, active citizens’ (Sears 1999; Walters, 1997) and ‘enterprising selves’ (Rose, 1992). Jon Frauley (2012) explores the neoliberalization of education by adopting an ‘education as governance’ perspective, taking the concept of

‘employability’ in Ontario higher education as a “constitutive category of governance around which education policies as regulatory strategies were crafted” from its capacity to promote “security effects” (pp. 220-221, drawing on Spitzer, 1987). Frauley (2012) suggests that strategies of employability aim to instill “a ‘matrix’ of practical reason” (i.e., habitus) through producing and distributing educational capital (p. 228). Contrary to human capital theory, employability is not deducible to personal qualities and skilling nor does it result in economic capital; rather, it “designates a class of habitus” positioned within the field of work (Frauley, 2012, p. 227, 229). In this context, education is a governmental project deploying its disciplinary-regulatory processes, as individuals’ responsiveness to their situations (e.g., consuming educational capital) is naturalized through the practice associated with policies organized around employability and the transmission of a corresponding (neoliberal) habitus (Frauley, 2012, p. 230). Thus, employability is a strategy for the regulation of economic insecurity in that higher education is conceptualized as a way for individuals to secure themselves from unemployment.

From the lean disciplinary regime, education becomes a site for empowering students to be market dependent instead of depending on state assistance by developing neoliberal subjectivities that transition smoothly from the school into the lean state. This relates to what Peters (2001) suggests is a governmental strategy of “cultural reconstruction” (p. 63) based on the neoliberal model of the entrepreneurial self in response to economic problems associated with the global economy. Education plays a significant role in this strategy, as it promotes the ‘enterprise culture’ (see my discussion in Chapter One), resulting in the “enterprise education” (Peters, 2001, p. 58; see also Davies & Guppy, 1997, pp. 444-446). Education is now attached to the “enterprise strategy,” which sees government and individuals working together to foster the cultural transformation, which revolves around the

core values of risk taking, independence, and self-reliance (Morris, 1991, p. 34; Peters, 2001, p. 64; Heelas & Morris, 1992, p. 2; Keat, 1991, p. 3). As Morris (1991) suggests, this cultural engineering includes “unprecedented government intervention in education (at all levels)” and “represents a massive programme to create a supportive public, a partner in cultural engineering, in order to bring about enterprise culture” (pp. 34-35). Thus education becomes a “starship” in policy work for governments across the globe (Peters, 2001, p. 65). Based on science, technology and education, the notion of enterprise culture creates a “new neo-liberal metanarrative” based on a forward-looking vision continued by ‘excelling’, increased skills training and performance, and ‘enterprise’ (Peters, 2001, pp. 65-66). This is consistent with what Sears (2003) identifies within the new vocationalism in education: the reorientation of education towards scientific and professional education, and the accompanying denigration of liberal arts education (pp. 100-101). Education reform seeks to break the past from the present, as it is guided by the assumption that the “old tools of aesthetic culture and history” cannot “adequately equip students to navigate their way through our rapidly changing world” (Sears, 2003, p. 113). A better future is conceptualized as conditional upon a break with the past, particularly on the cultural front premised upon the “twin foundations of science and entrepreneurship” (Sears, 2003, pp. 114-115, 212).

The central lean principle of “continuous improvement” has been adopted by social policy makers to “systematize the influence of workplace restructuring on society as a whole” (Sears, 2003, p. 194). That is, the lean state seeks to enhance efficiency and eliminate anything that fails to do so in all components of society. The denigration of liberal arts education, as discussed above, is one aspect of this strategy. Sears (2003) also points to the challenge (and even the potential “radical resistance”) that ‘youth’ poses to the lean state. The lean state cultural engineering project demands that “a reorganization of childhood”

become a central priority in policymaking (Sears, 2003, p. 192; see also Postman, 1996, pp. 195-197). Childhood is characterized by its non-instrumentality and its lack of “time-discipline,”¹⁸ which makes it a potential barrier to instilling a lean ethos (p. 194). The response to this has included the “rationalization of childhood” which involves increasing time-discipline in children’s lives and cutting back on ‘play’ to make childhood into “serious work” (Sears, 2003, p. 194, 196). From this, schools push students toward the market, making education a form of “child labour” that prepares students for the adult world of work (Sears, 2003, p. 198).

Sears (2003) draws a link between the market orientation/vocationalism of the lean disciplinary regime in schools and the criminalization of schools discussed above. Related to the ‘punishment of educational failure’, Sears (2003) notices the construction of children as a “danger” that must be “*controlled* through harsher measures” (p. 199, my emphasis). Students who disengage from school are now seen as part of a “hardened layer of children” or a “hardening underclass” of youth that tend to progressively misbehave (Sears, 2003, p. 203). So, students who do not comport themselves according to market discipline represent a ‘problem population’ that must be managed accordingly. Schools, then, are organized to operate in a way that ensures students will graduate smoothly into the lean state in part by identifying and responding to socially problematic (i.e., unproductive) behaviour. The aim of all of this, Sears (2003) stipulates, “is to transform childhood so that it fits with the economic and social realities of emerging systems of lean production” (p. 206). Lean education, then,

¹⁸ This concept is drawn from E.P. Thompson’s (1967) account of the establishment of the time-discipline mode of regulation. Time-discipline refers to how modern time consciousness regulates behaviour. Workers are habituated to clock-time, and comport themselves according to an economy of the *use* of their time; that is, time has value, and can be owned and sold. As Thompson (1967) suggests, “[t]ime is now currency: it is not passed but spent” (p. 61). The school was a significant institution in the development of time-discipline, Thompson (1967) notes, as students were taught the value of punctuality and regularity through school rules (p. 84). “Once within the school gates, the child entered the new universe of disciplined time” (Thompson, 1967, p. 84; see also Sears, 2003, p. 195).

operates to produce a disciplined and enterprising labour force that fits nicely into the precarious conditions of lean production.

The Purpose of Education: A Critical (Re)Assessment

The notion that the education system is shaped and operates in accordance with the needs of the capitalist marketplace is not new. Indeed, critical neo-Marxist education scholars have for some time approached education reform from a ‘social control’ paradigm, treating education as a system formed in favour of capitalist growth by way of eliminating possible threats posed by the working class. In their seminal *Schooling in Capitalist America*, Samuel Bowles and Herbert Gintis (1976) argue that education must be seen as “an aspect of the reproduction of the capitalist division of labor,” which reveals that educational reforms have been integral to “the process of capitalist growth itself” (p. 49). Education has been imposed with the dual role of serving the interests of profitability and stability: “enhancing workers’ productive capacities and perpetuating the social, political, and economic conditions for the transformation of the fruits of labor into capitalist profits” (Bowles & Gintis, 1976, p. 49). These are objectives of the capitalist class that shape the substance of education, and thus it is not surprising that the school is a key institution in sustaining the capitalist social order. This is consistent with Joel Spring’s (1973) argument that in serving a custodial function and its ability to differentiate students (particularly through testing) to prepare them for particular jobs and social slots, the school has been deemed an institution of social control (Spring, 1973, p. 30). This places power in the school, which appears to be benign in its interest in developing pupils (Spring, 1973, p. 39). However, as Spring (1973) contends, the institution of education is an “inexpensive form of police” in that its authority

is reinforced by its claim to help individuals whose interests are inseparable from social needs, which is usually defined by industrial and corporate demands (p. 39).

Bowles and Gintis (1976) trace the expansion of the educational system as a response by a self-conscious bourgeoisie to the expansion of the industrial capitalist system from the mid-nineteenth century. At this time, the capitalist class “came to dominate the political, legal, and cultural superstructure of society,” which would shape the evolution of the education system according to its needs (Bowles & Gintis, 1976, p. 157). Along with increased capital accumulation came increased economic inequality, which became more difficult to justify without adequate ‘legitimizing ideologies’. Thus, the capitalist class sought in education a mechanism that could stabilize the political landscape and continue the profitability of their enterprises (Bowles & Gintis, 1976, p. 159). In this case, mass education has been, from its conception, a mechanism of social control over the working class through its capacity to both enhance the labour power of the working class and legitimize the inequalities inherent in the capitalist mode of production.

In his ethnography of working-class male students, Paul Willis (1977) illustrates how schools, in practice, reproduce social inequalities that work to sustain the capitalist mode of production. He studies a counter-school culture among troublesome boys (or the “lads”) in opposition with school conformists (or the “ear’oles”). The lads’ misbehavior and resistance are reflections of the counter-school culture that rejects middle-class values and norms, and develops and maintains attitudes and practices distinct from the official, conventional ones. This culture provides an alternative to finding satisfaction or meaning in work (Willis, 1977, p. 102). Labouring in modern society is understood to be manual amongst the lads, and only bearable because of the working class culture associated with it, as it constructs for them a status and identity (Willis, 1977, p. 102). In rejecting the prospect of mental work in favour

of manual work, the lads see themselves as rejecting the school's demand for obedience and conformism; that is, "[r]esistance to mental work becomes resistance to authority as learnt in school" (Willis, 1977, p. 103). Willis (1977) continues, noting that the "conjunction in contemporary capitalism of class antagonism and the educational paradigm turns *education into control*, (social) class resistance into educational refusal and human difference into class division" (p. 103, my emphasis). Refusing school conformism, the lads knowingly and contently pursue working-class jobs. Thus, the lads themselves perpetuate social stratification, as they reject the values of the dominant class, which they see as repressive toward their independence and irrelevant to their futures. As Willis (1977) puts it, "In contradictory and unintended ways the counter-school culture actually achieves for education one of its main though misrecognised objectives – the direction of a proportion of working kids 'voluntarily' to skilled, semi-skilled and unskilled manual work" (p. 178).

Bruce Curtis' (1983, 1992) account of the making of Canada West (now Ontario), though extending the revisionist perspective of Bowles, Gintis, and Willis, casts some doubt on how smoothly this capitalist strategy of social control functioned. Education was one part of a general aim, among several other national governments, at the centralization of political and economic power and authority through reconstructing central-local relations through "educational inspection" (Curtis, 1992, p. 5, 11). That is, "educational inspection was about state formation: the creation, stabilization, and normalization of relations of power, authority, domination, and exploitation" (Curtis, 1992, p. 32). While the struggles over educational reform at this time undoubtedly had a "political-economic foundation," Curtis (1983) stipulates it is not adequate to reduce these as "struggles between a bourgeoisie and a working class" (p. 103). Education reform held political promise, but not simply to discipline a workforce – though schooling was still characterized by industrial capitalism. Rather, there

was a *governmental* interest in a “complex project of ‘improvement,’” which meant reshaping institutions according to bourgeois values by presenting the interests of the dominant as the interest of society (Curtis, 1992, p. 14, 102). The interests of education and the culture of improvement, Curtis (1992) argues, were tied to “the generalization of capitalist relations of production” and with “rational religion and bureaucratic administration,” which depicted the social world as highly malleable (pp. 102-103). Progress, then, was seen to be contingent upon the capacity of the population to identify with capitalist interests. As Curtis suggests,

Material progress and cultural advance were tied to the internalization of a set of values and orientations by members of the body politic and to the creation of a new set of social and political institutions for their promulgation. Successful social governance in the largest sense was government of the self: moral regulation. (Curtis, 1992, p. 103)

This process points to the attempt to use education as a domain in which class antagonism could be transcended. Education was to be transformed into a “state-directed political socialization,” aimed at successfully training each individual’s forces (Curtis, 1983, p. 107). Educational *practicality* was of concern, as this training sought to develop habits, predispositions, and loyalties in the population that would guide action (Curtis, 1983, p. 107; Curtis, 1992, p. 174). A ‘rational’ population would lead to its successful governance.

With school inspection under the control of central authority, neither elites nor local politics could bind the interests of education to their own, placing education in the developing capitalist state system with key state servants administering and defining the interests of education (Curtis, 1992, p. 172). This ‘freeing’ of the interests of education presented itself in the form of bureaucratic administration in schooling, which was “constituted by the moral, cultural, and political interests of the rising middle classes” (Curtis, 1992, p. 175). That is, freeing education from particular social interests nevertheless

based schooling upon a class culture. As Curtis (1992) notes, the autonomy of middle-class interests in education was an essential element in state formation (p. 175).

Thus, school inspection was a process of ruling by which the state was built in part from its extended surveillance of the local. School inspectors' opinions, guesses, and judgments, interpreted according to improving education by the central authority, formed the facts of education and its organization, which led to centralizing educational administration (Curtis, 1992, p. 191). Inspection generated the cultural perceptions of the 'choice men' as the foundation for efficient educational bureaucratic administration (Curtis, 1992, p. 192). The interests of education reflected the interests of the 'choice men', and thus established the way forward (i.e., the means of improving) for administration and elaborating an ideology of governance, both masked by a veneer of neutrality but nevertheless based on a "class culture" (Curtis, 1992, pp. 191-192). David Kirk (1998) notices a similar process in the history of Australian physical education stretching back to the 1890s in which militaristic drilling and eugenics-influenced inspections in schools were eschewed in favour of team sport and its associated 'games ethic'. The former practices held negative connotations among the population while team sport provided a novel way to think of the body as "a site of social regulation" (Kirk, 1998, p. 111). Kirk (1998) suggests that a games ethic (i.e., the inculcation of a notion of manliness involving dimensions of leadership, commandership, and deference) that could reach all children through schooling was eventually reconstructed to 'civilize' working class youth (p. 107). Thus, the novel methods of physical education did not mean education was liberated from its regulative imperative. Indeed, schools still needed to develop "the dual attributes of compliance and productivity of pupils" and thus education

remained a site for managing concerns over *efficient, productive, and obedient bodies* (Kirk, 1998, p. 112).¹⁹

Educational reform, of which school inspection was a key component, created new forms of governance beyond suppression and explicit coercion. As Curtis (1983) argues, educational reform “sought to shape and develop individual will so governance could proceed by individual self-repression, without actually being experienced as such” (p. 112). It “sought to transform the subjectivity of the body politic” (Curtis, 1983, p. 114). In Kirk’s (1998) more recent account, sport was held by the majority to be “an unambiguous social good, far removed from controversial social and political issues,” and thus operated, through its games ethic, as a seemingly benign influence that reflected the ‘civilized’ values of the population (p. 141). Yet, as Curtis (1992) points out, school inspection was standardized and neutralized so that it was considered a set of practices aimed to “promote the ‘public interest,’ an ideological construct that seeks to forge a domain of consensus out of the antagonisms characteristic of capitalist society” (Curtis, 1992, p. 197). Thus, education, from its earliest beginnings, at least in what is today Ontario, is a historically important institution from which “[t]he placing of the Canadian population under a condition of state tutelage has come to be normalized as a natural ‘fact of life’” (Curtis, 1992, p. 197).

Conclusion

From its origins, education has been deployed as a site and mechanism of social control, as we have seen from the historical accounts of education’s role in capitalist state formation discussed above. The neoliberal transformations in crime control and managing

¹⁹ What Curtis’ and Kirk’s accounts both point to are different disciplinary technologies deployed within the school for governing populations of particular categories of subject. Thus, as I noted before, the notion of education as a mechanism for disciplining and governing is not a new development for the institution.

social insecurity have had significant implications for the field of education in contemporary society. The criminalization of schools illustrates the connection between education and crime control rather clearly: schools are now responsible to partner up with crime control agencies in order to be responsible for governing crime to the point that they are now *governed through crime* by way of a penal regime, or ‘penal pedagogy’. Crime control as a model for governing education guides the institutional imperatives of the school, which makes the field of education a form of indirect regulation and control. In this context, education represents a central institution of governance, making the school one part of the complex web of social regulation. However, in connection with its crime control function, education also governs by meeting and reproducing a neoliberal notion of citizenship revolving around the market. I have suggested that these axes around which the purpose of the education system has been rethought – crime and economy – complement each other to deploy different forms of discipline. Students are subjected to ‘penal pedagogy’, through which students learn lessons about power, control and authority; ‘labour discipline’, through which students learn the attitudes necessary for labour market integration; and ‘market discipline’, through which students learn to turn to markets for solutions to their problems.

We are left, then, with two concepts that emerged from this discussion surrounding education. The neoliberalization of education reveals a close connection between the notions of the school as a *disciplinary apparatus*, concerned with regulating individual subjects, on the one hand, and education as a *governing apparatus*, concerned with the management of populations, on the other hand.

The province of Ontario has recently experienced substantial changes in the way student discipline is approached by government, as two important pieces of legislation have been passed. In 2007, the *Education Amendment Act (Progressive Discipline and School*

Safety) was passed in response to efforts to rethink punishing students who misbehave. In 2012, Ontario saw the *Accepting Schools Act* passed in response to a growing concern surrounding bullying in schools. These policies indicate a “problematization of government,” the “calling into question of how we shape or direct our own and others’ conduct” (Dean, 1999, p. 27). I suggest these policies demonstrate advancements in lean discipline in education, and in turn, reorient the school to operate as a post-social mechanism of governance, revealing an explicit articulation of discipline and governance. I offer a discussion of the policy documents in Chapter Four, but prior to that, I explicate the features of discipline and governance and their integration by drawing on the work of Michel Foucault and Pierre Bourdieu. For this, we turn to the next chapter.

CHAPTER THREE

Governmental Power and Disciplinary Power

Following Chapter One's outline of the broader trends within Western capitalist societies to govern social problems, such as crime, unemployment, security, etc., through strategies of individualization and responsabilization in order to manage and control such problems, the second chapter revealed the implications of these shifts for education. As schools are increasingly governed through crime, they take on more responsibility in the control of deviance while the state steadily lets go of its claim to be able to manage it entirely. This social control function, I suggest, is closely tied to the capitalist, human capital inspired, purpose of schooling to train and skill youth for the labour market. Education has also been influenced by the logic of prudentialism, thus promoting and celebrating the market as the basis on which to ensure personal wellbeing. So, as I have discussed, the school in fact operates as a mechanism of *governance* in that it *disciplines* students to transition smoothly from school to market dependence.

In relating the school to the processes of governance and discipline, this chapter explores the features of discipline and governance as outlined in the work of Michel Foucault and Pierre Bourdieu. Central to understanding governance and education as *a mechanism of governance* is Foucault's conception of power.²⁰ Instead of a largely negative conception of

²⁰ In a similar vein, Pierre Bourdieu suggests we must 'rethink the state' and its power. He defines the state as the institution which "successfully claims the monopoly of the legitimate use of physical and *symbolic* violence over a definite territory and over the totality of the corresponding population" (Bourdieu, 1994, p. 3, emphasis in original). This capacity to exercise symbolic violence derives from the state's incarnation in both objectivity (in social, organizational structures) and subjectivity (in mental structures), thus giving the impression of being natural through masking the acts of instituting an "instituted institution" (Bourdieu, 1994, p. 4). That is, social structures and mental structures contribute to effacing the trail of acts of institution in order for the institution of the state to appear as natural. Of course, Bourdieu allots a concentration of power to the state with which Foucault would not agree. Despite this difference, both find common ground in the notion of power as being implicated in constituting the social world in multiple ways (see Swartz, 2013, pp. 126-127).

power as repression characteristic of critical Marxist scholars, Foucault conceives of power as productive:

We must cease once and for all to describe the effects of power in negative terms: it ‘excludes’, it ‘represses’, it ‘censors’, it ‘abstracts’, it ‘masks’, it ‘conceals’. In fact, power *produces*; it produces reality; it produces domains of objects and rituals of truth. The individual and the knowledge that may be gained of him belong to this production. (Foucault, 1995, p. 194, my emphasis)

Foucault’s work provides a useful way of thinking about power in contemporary society in that it problematizes the dominance of a state-centered approach that is central to human capital theory and liberalism. Sovereignty is a modality of power characterized by a central authority, or ‘the king’, whose dominant instrument is law (Foucault, 1991, p. 93). This model, for Foucault, is inadequate for understanding the operation of contemporary power. As he contends, the question of power cannot be only posed in terms of the State. Hence the need to look at disciplinary power and the corresponding “need to cut off the King’s head” in political theory (Foucault, 1980b, p. 121).

The concept of discipline is a central preoccupation for Foucault and a discussion on the features of discipline would no doubt be remiss without drawing on his work. However, in this chapter, I also supplement Foucault’s notion of discipline by drawing on some key concepts of Bourdieu’s. I suggest Bourdieu’s concepts of ‘capital’, ‘field’, and ‘habitus’ are also useful for expanding on the concept of discipline and exploring its operation in education. These concepts, which I discuss below at some length, provide a way of thinking about how disciplinary power is practiced through their elaboration of the influence of external structures on the individual agent’s (or, subject’s) dispositions as well as the disposition’s capacity to influence those external structures.

Foucault’s vision of power and its interrelation with governing others and self-governance offers a fruitful way of approaching and understanding the governance of social

problems in contemporary society. I begin with a discussion of his vision of governance and government, as this is the broader model of power within which discipline is shown to operate. I then connect discipline to this discussion (here, drawing on both Foucault and Bourdieu), as it emerges as a central concept to the exercise of power within governance. By beginning with governmental power and then pointing to discipline's integral position within the process of governance, I avoid using 'discipline' as a "cookie cutter" concept (Valverde, 2009, p. 206) in that I do not apply the concept to simply describe education as an example of discipline. Discipline and governance are ideas that are present in the work of Simon (2007), Garland (2001), Sears (2003), and others that I have discussed. This chapter, then, sets up the framing for the discussion and analysis of education reformation in Ontario, Canada, which I present in Chapter Four. From Foucault and Bourdieu, I further build on the framework started in Chapter One and continued in Chapter Two, by developing the concepts of governance and discipline to explore education's operation within what has been described as a complex, pluralistic web of social regulation in contemporary Western capitalist societies.

Governmental Power and its Operation in Modern Society

Following from his conceptualization of power as productive, Foucault rethinks the way modern Western societies are governed. Power, for Foucault, is a matter of *government*, in the term's broader sense: to exercise power is to guide the possibility of conduct in order for a certain outcome (Foucault, 1982, p. 789).²¹ Consistent with his reduction of the state's

²¹ The notion of 'government' for Foucault is closely tied to 'governance', as it does not refer to the common (narrow) understanding of government along the lines of state rule over of a society. Following Foucault in their definition of 'governance', Hunt and Wickham (1994) illustrate the close relationship between both terms. For them, governance refers to the process informing three concepts: 'government' as in processes for managing a nation, region, or municipality; 'self-government' as in attempts at managing one's *self*; and, 'governor' as a metaphor for regulation for performance management (Hunt & Wickham, 1994, p. 79).

importance, Foucault (1982) explains that ‘government’ “designate[s] the way in which the conduct of individuals or of groups might be directed: the government of children, of souls, of communities, of families, of the sick” (p. 790). Further, government refers to “modes of action, more or less considered or calculated, which [are] destined to act upon the possibilities of action of other people. To govern, in this sense, is to *structure the possible field of action of others*” (Foucault, 1982, p. 790, my emphasis). Government is a matter of disposing things, which means employing ‘tactics’ to have the appropriate distribution and arrangement of things in order for particular (‘convenient’) ends to be met (Foucault, 1991, p. 95). Important to Foucault’s understanding of governmental power is his concept ‘governmentality’, which means:

1. The ensemble formed by the institutions, procedures, analyses and reflections, the calculations and tactics that allow the exercise of this very specific albeit complex form of power, which has as its target population, as its principal form of knowledge political economy, and as its essential technical means apparatuses of security.
2. The tendency which, over a long period and through the West, has steadily led towards the pre-eminence over all other forms (sovereignty, discipline, etc.) of this type of power which may be termed government, resulting, on the one hand, in the formation of a whole series of specific governmental apparatuses, and, on the other, in the development of a whole complex of *savoirs*.
3. The process, or rather the result of the process, through which the state of justice of the Middle Ages, transformed into the administrative state during the fifteenth and sixteenth centuries, gradually becomes ‘governmentalized’. (Foucault, 1991, pp. 102-103)

This modality of power thus suggests a range of different instruments and agents implicated in the process of governing. According to this understanding of governance, government is a process, or ‘practice’, carried out by various agencies and not merely by ‘the government’. There is a triad in the form of “sovereignty-discipline-government” holding the population as its target and “apparatuses of security” as its central mechanism (Foucault, 1991, p. 102).²²

²² Dean (1999) elucidates this concept of ‘security apparatus’ as a mechanism of governmentality in which to ‘enframe’ the population (p. 20). This includes “health, *education* and social welfare systems and the

Here, Foucault extends his criticism of conceptions of power as a ‘State’ possession, which is fleshed out most thoroughly at the micro-level in *Discipline and Punish* and at the macro-level in the first volume of *The History of Sexuality*. This criticism of government as descending (i.e., top-down, stratified) encourages us to view governmental power as a large network of individuals and groups of individuals, aimed at governing their conduct.²³

Governmentality is distinct from what Foucault refers to as ‘the arts of government’ – those of sovereignty and the family. The models of sovereignty and the family, for Foucault, were inadequate ways of thinking about power, as they are not concerned with ‘population’ and its regularities and processes. Government’s emphasis on population means that it must know and manage “problems specific to the population” (Foucault, 1991, p. 99). Before the order and management of population problems can be governed, though, an object of governance must be constituted. Following from above, an object of governance must pertain to the phenomena of population (such as, *public education*). To govern, then, is to act upon the complex made up of relations between people, things, and events. Thus, governmentality refers to the myriad ways in which state and non-state agencies develop and maintain a regulated and self-regulating society through the management of ‘men in their relations to things’ (see Foucault, 1991, p. 93). Following this ‘mentality of governance’, then, education is situated as a governmental project concerning population management, and is thus ‘governmentalized’.

In *The History of Sexuality* (1990), Foucault outlines the regulation of the population as the emergence of ‘biopolitics’ (the regularization and standardization of both individual

mechanisms of the management of the national economy” (Dean, 1999, p. 20, my emphasis). Apparatuses of security are made up of any institutions and practices aimed at the security of a population and the processes (i.e., social, economic) within that population necessary for its optimization (Dean, 1999, p. 20).

²³ This also resonates with my discussion in Chapter One, in which I outline, to paraphrase Cohen (1979), the ‘dispersal of governance’, clearly exemplified in the deployment of ‘strategies of responsabilization’ (Garland, 2001; O’Malley, 1992), as a result of the ‘leaning’ of the state (Sears, 1999).

conduct and processes of the population) assuming a central role in governmentality, which is constituted by sovereign power, disciplinary power, and governmental biopower (see Frauley, 2010b, p. 201; Dean, 1999, p. 19). On top of discipline's concern with individual bodies emerges a concern over controlling the population at large. Biopower, the preoccupation of administering and fostering life, is made up of two poles: a disciplinary control over the body as a machine, "an *anatomo-politics of the human body*" (which I discuss in the following section); and a regulatory control over the species, "a *biopolitics of the population*" (Foucault, 1990, p. 139, emphasis in original). The establishment of biopolitics was marked by "an explosion of numerous and diverse techniques for achieving the subjugation of bodies and the control of populations" (Foucault, 1990, p. 140). Biopolitical techniques, then, may employ disciplinary techniques, and are concerned with the processes proper to the population as well as the particularities of individuals.

The development of biopower was accompanied with a growth in importance of the norm (Foucault, 1990, p. 144). That is, in taking charge of life, this form of power "needs continuous regulatory and corrective mechanisms" to distribute individuals around norms derived from qualifying, measuring, appraising, and hierarchizing (Foucault, 1990, p. 144). The norm, according to Foucault (2003), is "the one element that will circulate between the disciplinary and the regulatory, which will also be applied to body and population alike" (p. 252). Thus, the norm is biopolitical in that it can be applied to both the body (producing disciplinary effects) and the population (producing regulatory effects). In a normalizing society,²⁴ the norm of discipline and of regulation intersect, utilizing both technologies of

²⁴ The normalizing society is more or less separate from a disciplinary society in that the norm operates at both the levels of discipline and regulation, whereas the disciplinary society (a concept developed in *Discipline and Punish*) emphasizes the exercise of capillary power at the micro-level. By no means does the rise of the normalizing society suggest the cessation of disciplinary power.

discipline and technologies of regulation, and thus taking “control over life in general” (Foucault, 2003, p. 253). Foucault provides a good example of this intersection in the nineteenth century setup of the town: on the one hand, working-class housing was laid out in such a way that made the operation of disciplinary power possible by way of making individuals visible; on the other hand, the town’s organization allowed for the emergence of regulatory mechanisms from health insurance to education (Foucault, 2003, pp. 250-251). The intersection between disciplinary mechanisms and regulatory mechanisms results in the “governmentalization of the state” (Foucault, 1991, p. 103; Dean, 1999, p. 102) – sovereign power as only one aspect of government, now concerned with processes pertaining to individuals and populations – and an emphasis on disciplining and normalizing individuals and regulating the population, or what Foucault (2003) terms “regulatory disciplinary power” (p. 254). Because the norm enables the administration of conduct of the body and population, it is argued to be central in the governance of Western capitalist societies (Foucault, 1990, 1995).

The emphasis on the norm tends to supplant (but not eliminate) the importance of the juridical system (i.e., sovereign power) in favour of biopower. Foucault (1990) does not suggest that law is totally irrelevant or that its institutions disappear, “but rather that the law operates more and more as a norm, and that the judicial institution is increasingly incorporated into a continuum of apparatuses ... whose *functions are for the most part regulatory*” (p. 144, my emphasis). Thus, a ‘normalizing society’ governs the population by regulating conduct rather than simply punishing deviant behaviour. Juridical power takes the form of “deduction,” which is argued to no longer be the dominant form of power, and instead, one part of a modality of power that seeks to generate, cultivate, and order forces of subjects (Foucault, 1990, p. 136). Following Foucault, Ewald (1990) notes that normalization

is accompanied by a proliferation of activity in the legislature, and therefore, a normalizing society does not necessarily mean that the power of law diminishes (p. 138; Foucault, 1990, p. 144). Rather, the norm is opposed to *the juridical* – “the institution of law as the expression of a sovereign’s power” – and not to *the law itself* (Ewald, 1990, p. 138). Law, then, formulates (and operates as) norms.

Alan Hunt (1993), following Foucault’s conception of power, has elaborated a theory of law as a constitutive mode of regulation. His work is significant, as it explores the general field of governance while expanding the concept of law to fit in those processes. Hunt (1993) conceives “the process of governance as significantly revolving around *regulation*” (p. 313, emphasis in original). Regulation is understood as a process involving “the deployment of specific knowledges encapsulated in legal or quasilegal forms of interventions in specific social practices whose resultants have consequences for the distribution of benefits and detriments for the participants in the social practices subject to regulation” (Hunt, 1993, p. 314). Approached in this way, regulation is closely concerned with power and knowledge, focusing on information, expertise, and policies. Regulation is not merely a set of ‘rules’, but rather always includes a *moral* component. As Hunt (1993) notes, all regulation involves impugning some realities while ‘encouraging’ others (p. 314). This means moral order is regulative and constitutive, thus having an impact on social practices *and* subjectivities (Hunt, 1993, p. 314, drawing on Corrigan and Sayer). This approach avoids the “pejorative sense of regulation as simply negative control” (Hunt, 1993, p. 325) by attending to the positive, constitutive aspects of regulation.

Hunt (1993) identifies several key elements in the concept of regulation, which highlights its productivity. The first is the constitution of an object to be regulated. Regulation is always intentional, and regulatory interventions are often in response to

‘discovering’ some social problem (Hunt, 1993, p. 316). Second, regulation involves “the designation, identification, or creation of *regulatory agents*” charged with a variety of duties (Hunt, 1993, p. 316). Third, regulation depends on the production of regulatory knowledge. Knowledge is crucial to constructing an object for regulation and subsequently its method of being regulated through policies and strategies, and is therefore linked to the fourth element of “regulatory strategies” (Hunt, 1993, pp. 317-319). Following this conceptualization, Hunt (1993) provides a model of the process of regulation as made up of five features: an object to regulate; regulatory agents responsible for enforcing rules and strategies; the production of regulatory knowledge; the production of strategies and policy objectives; and, the consequences (benefits or sanctions) of the regulation project (p. 319). This keeps with Foucault, as it distinguishes between “legal form(s)” and “regulatory form” (Hunt, 1993, p. 319). This approach is also consistent with the pluralistic nature of ‘post-social’ governance and regulation which I have outlined in Chapter One. Social ordering is seen as the outcome of multiple modes of regulation interacting, with “mode of regulation” referring to the “institutional ensemble and set of practices and norms that function to secure social reproduction despite the unstable and contradictory character of capitalist relations” (Hunt, 1993, p. 320). Thus, Hunt’s work enables approaching education policy as a form of regulation in the general process of governing Western capitalist society. Further, Hunt and Wickham (1994) suggest that although Foucault did not treat ‘regulation’ in any systematic way, the advance of discipline and its techniques is “manifest in the rise of ‘regulation’ as a distinctive technique of government” (p. 22). Thus, the regulation approach is fruitful for understanding discipline as a technique for the practice of governing.

Disciplinary Power and Governance

The shift from a ‘disciplinary society’ to a ‘normalizing society’ (Foucault, 1990, p. 144; Foucault, 1980a, p. 105-107) does not mean that discipline disappears; on the contrary, discipline is directed at individuals in the regulation of the population.²⁵ In fact, Foucault (1991) contends “discipline was never more important or more valorized than at the moment when it became important to manage a population” (p. 102). Discipline works through and produces norms by way of techniques of (perpetual) hierarchical observation, normalizing judgment, and examination. Normalization (with surveillance) is a central instrument of power for Foucault. According to Foucault (1995), this power of normalization works smoothly in a system of formal equality, as it “imposes homogeneity” by transmuting individual differences through individualizing subjects around the norm (p. 184). As Ewald (1990) suggests, discipline is not for Foucault a concern of confining the subject population but rather a means of homogenizing social space (p. 141). It is through the principle of the norm that discipline can “develop from a simple set of constraints into a mechanism; it serves as the matrix that transforms the negative restraints of the juridical into the more positive controls of normalization and helps to produce the generalization of discipline” (Ewald, 1990, p. 141). Ewald (1990) notes that the norm sets and measures a standard while discipline concerns the training of the individual body (p. 141). The norm, within the disciplinary order, is tied to specific practices and institutions, but it then influences the entire population of a state; that is, it shifts from the “level of the micro-instrumental to that of the bio-political” (Ewald, 1990, p. 141). Proceeding from this model of governance, and

²⁵ It should be noted, while also recalling the discussion above concerning the state in matters of power, that Foucault does not propose that particular modes of power eliminated others. As he notes, “we need to see things not in terms of the replacement of a society of sovereignty by a disciplinary society and the subsequent replacement of a disciplinary society by a society of government; in reality one has a triangle, sovereignty-discipline-government” (Foucault, 1991, p. 102). It is not that the state is necessarily unimportant, but rather, that power extends beyond the state (see Foucault, 1980b, p. 122).

taking education policy to be a form of social regulation, we see that education operates as a governmental project. That is, the deployment of the school, as we have seen in Chapter Two, to promote notions of enterprise, prudentialism, and responsibility is a disciplinary-regulatory strategy, as education increasingly concerns the management of student populations. Central to this sort of strategy is the conditioning of a ‘habitus’ (Bourdieu, 1973; see below) that is congruous with the structures of certain fields. Thus, education as a governmental strategy is also a disciplinary one.

Viewing education as part of a biopolitical strategy positions the disciplinary aspect of schooling as playing a crucial role in the governance of populations. In *Discipline and Punish*, Foucault (1995) considers the regulation of individuals through ‘disciplinary technologies’. In other words: the various programmes, projects and policies that aim to “develop and implement a regime of discipline in smaller and greater locales, for particular requirements, and targeting various individuals, groups, and micro- and macro-populations” (Dean, 1994, p. 169). Though Foucault focuses predominantly on the prison, his analysis applies as well to schools and various other institutions, as he, at several points, proffers the school as another site of regulation. As he suggests, discipline targets the “soul” of individuals through technologies of the power over the body, which is exercised “on those one supervises, trains or corrects, *over ... children ... at school*” (Foucault, 1995, p. 29, my emphasis). Foucault’s analysis applies to various institutions (e.g., prisons, schools, factories, hospitals, and asylums), as they are locales developed from different “configurations of a disciplinary regime” (Dean, 1994, p. 170). In the seventeenth and eighteenth centuries, Foucault identifies the centrality of discipline as a general formula of domination (Foucault, 1995, p. 137). For Foucault (1995), discipline refers to a “political anatomy” which functions

as a mechanism of power preoccupied with the production of “docile bodies,” meaning the subjected body not only *does* what one requests but also *operates* accordingly (p. 138).

Discipline increases the forces of the body (in economic terms of utility) and diminishes these same forces (in political terms of obedience). In short, it dissociates power from the body; on the one hand, it turns it into an ‘aptitude’, a ‘capacity’, which it seeks to increase; on the other hand, it reverses the course of the energy, the power that might result from it, and turns it into a relation of strict subjection. If economic exploitation separates the force and the product of labour, let us say that disciplinary coercion establishes in the body the constricting link between an increased aptitude and an increased domination. (Foucault, 1995, p. 138)

Thus, discipline operates in a way that seeks to ensure docility-utility – that is, render the body both docile and useful or productive – as a means of control. The school is one of the earliest spaces in which this political anatomy of discipline was used and developed (Foucault, 1995, p. 138).²⁶ Through its concern over the individual body’s subjugation, ordered by various techniques including ‘the art of distributions’, ‘control of activity’, ‘organization of geneses’ and ‘the composition of forces’, discipline aims generally at “the control and use of men” (Foucault, 1995, pp. 141-162). As a domain for *knowing* bodies, the school is a key site for *regulating* individuals.

According to Foucault (1995), “Discipline ‘makes’ individuals; it is the specific technique of a power that regards individuals both as objects and as instruments of its exercise” (p. 170). As a mode of power to *train subjects*, discipline is modest but has enormous reach. For its reach to have any ‘grip’, discipline must employ ‘the means of correct training’: “The success of disciplinary power derives no doubt from the use of simple instruments; hierarchical observation, normalizing judgement and their combination in a procedure that is specific to it, the examination” (Foucault, 1995, p. 170). Discipline *subjects*

²⁶ The need for power to “gain access to the bodies of individuals, to their acts, attitudes and modes of everyday behaviour” in order to gain productive control over individuals, according to Foucault (1980b), posits the significance of “methods like *school discipline*, which succeeded in making children’s bodies *the object of highly complex systems of manipulation and conditioning*” (p. 125, my emphasis).

individuals to these disciplinary procedures which shape conduct in accordance with the field in which it operates. Along with this ‘objectification’, individuals are ‘subjectified’ (i.e., made into subjects) in that their capacities are developed to function as active and knowing subjects and not solely as objects for knowing. In order to fully appreciate what Foucault means by this objectifying and subjectifying of individuals, the procedures of hierarchical observation, normalizing judgment, and examination will be discussed here in relation to the school.

Hierarchical observation refers to the practice of power through techniques of seeing (i.e., surveillance) made possible by the arrangement of disciplinary space. This space involves a problematic of architecture that seeks to make those inside it visible in order to transform those individuals. It operates “to act on those it shelters, to provide a hold on their conduct, to carry the effects of power right to them, to make it possible to know them, to alter them” (Foucault, 1995, p. 172). The school building, for Foucault (1995), operates in this way as a “mechanism for training” (p. 172). The partitioning of space to individuate pupils made the school an “apparatus for observation” (Foucault, 1995, p. 172) for the objectification of those bodies – that is, to make them accessible for observing and studying. As Foucault (1995) puts it, “The disciplinary institutions secreted a machinery of control that functioned like a microscope of conduct; the fine, analytical divisions that they created formed around men an apparatus of observation, recording and training” (p. 173). Surveillance was a crucial to the development and reorganization of elementary teaching in that only through a system of supervision was it possible to regulate the activity of classrooms with increasing numbers of students. The system of supervision employed in the practice of teaching was ‘pyramidal’, forming relays in the disciplinary gaze by defining roles with particular roles (Foucault, 1995, pp. 175-176). For example, in schools today

students are the objects of teachers' surveillance, but teachers are the objects of principals' surveillance, and so on. Though all systems of supervision are pyramidal, they operate as networks of relations between all levels – top to bottom, bottom to top, and laterally (Foucault, 1995, p. 176). According to Foucault (1995), “A relation of surveillance, defined and regulated, is inscribed at the heart of the practice of teaching, not as an additional or adjacent part, but as a mechanism that is inherent to it and which increases its efficiency” (p. 176). This hierarchical form of observation means that there is a perpetual collection of information about individual subjects.

The information produced and collected from this sort of hierarchical observation sets up standards judging conduct, which makes possible the operation of *normalizing judgment*. The rules and standards of conduct of disciplinary fields establish a “micro-penalty” concerning the norms of that particular field (Foucault, 1995, p. 178). That is, the slightest departure from correct behaviour, or nonobservance of the norm, is susceptible to punishment. To reduce gaps in conformity, disciplinary punishment must be *corrective*, and thus not only borrow from judicial model of punishment, but rather apply repeated exercises and training (Foucault, 1995, p. 179). However, punishment is accompanied by ‘gratification’ to make a double system. From a “gratification-punishment” system, behaviours and performances are part of a field in which they are defined as either positive or negative (for example, pupils can earn good grades or bad grades) (Foucault, 1995, p. 180). This field is quantifiable to form “a whole micro-economy of privileges and impositions” through which a differentiation of individuals is operated to judge individuals “in truth,” by drawing on the knowledge of compiled about those individuals (Foucault, 1995, pp. 180-181). Through this micro-economy, individuals can be ranked, which can then serve as a reward or punishment. A hierarchizing penalty results, which not only distributes

individuals by rank and conduct, but also pushes them to conform to one model so that they will strive to be like one another (Foucault, 1995, p. 182). Thus, discipline normalizes in that it “compares, differentiates, hierarchizes, homogenizes, excludes²⁷” (Foucault, 1995, p. 183).

Both techniques of hierarchical observation and normalizing judgment are combined to produce a ‘normalizing gaze’: *the examination*. Examination is at the “heart” of the disciplinary procedures, manifesting the “subjection of those who are perceived as objects and the objectification of those who are subjected” (Foucault, 1995, pp. 184-185). Combining surveillance and normalization, the examination qualifies, classifies, and punishes. The school is perhaps the most obvious institution that uses the examination. As Foucault (1995) suggests, the school is an “apparatus of uninterrupted examination,” which is used to compare students from the possibility to measure and judge them (p. 186). The examination transforms the student population into a field of knowledge, as it ensures knowledge is transferred to, and extracted from, the student. Through the examination, “each individual receives as his status his own individuality, and in which he is linked by his status to the features, the measurements, the gaps, the ‘marks’ that characterize him and make him a ‘case’” (Foucault, 1995, p. 192). In a disciplinary regime, individualization is a key effect of its anonymous, functional power. Thus, discipline produces subjects that act according the rules and standards of a particular field through its continuous exercise of power through surveillance (hierarchical observation), normalization (normalizing judgment), and individualization (examination).

²⁷ It is interesting to note that Foucault seems to be inconsistent in his use of the term ‘exclusion’. If we recall the quote cited in the introduction of this chapter, he contends we must stop thinking of power as if it excludes, yet here claims disciplinary power operates in part by excluding. But, Foucault is clear that exclusion operates as a process of disciplinary power in that those who fail to adhere to the norm will be subject to “special regulations” with the ultimate aim of reintegration. Thus, exclusion might be considered a tactic for achieving conformism. As Foucault (1995) puts it, “The ‘shameful’ class existed only to disappear” (p. 182).

Discipline and Habitus

Foucault's work on modern power through discipline provides a fruitful way of understanding the central role of individualization, or the process of constituting individual subjects, for regulating and managing individuals as well as populations. However, his work on discipline sheds light predominantly on institutional practices of governing subjects (e.g., how children are constituted as students in need of normalization), and thus leaves largely unexplained the subject's role in governing (see Valverde, 2009). Thus, Foucault's work can be supplemented by Bourdieu's conceptualization of the practice of power for thinking about discipline in that Bourdieu provides a way of understanding the *interaction* between the practices of individuals (such as students) and practices of institutions (such as schools).

As intimated in the critique of human capital theory above, the interplay of Bourdieu's concepts 'capital', 'habitus' and 'field' is crucial to understanding social phenomena generally, and, I would suggest, the governance of social problems more specifically. Bourdieu (1986) argues it is "impossible to account for the structure and functioning of the social world unless one reintroduces capital in all its forms and not solely in the one form recognized by economic theory" (p. 242). Essentially, according to Bourdieu (1986), capital amounts to the same thing as power (p. 243). The form capital takes – whether in economic, cultural, or social guise – depends upon the 'field'²⁸ in which it functions (Bourdieu, 1986, p. 243). Cultural capital, which can exist in 'embodied' (i.e., consuming cultural goods' through apprehension), 'objectified' (i.e., objects that demand cultural understanding, such as books) and 'institutionalized states' (i.e., credentials

²⁸ Bourdieu (1990) defines the social field as a "space of power positions" (p. 127) in which agents are distributed according to the overall volume of capital in their possession and according to the "structure of their capital" – that is, "the relative weight of the different kinds of capital, economic or cultural, in the total volume of their capital" (p. 128; see also Bourdieu, 1985, p. 724). Society is envisioned as a multi-dimensional space that is made up of different subspaces (i.e., fields) in which different forms of capital hold power in the given field of forces and thus determining the position of an agent (or group of agents) in the social space.

conferring cultural competence), is convertible into economic capital and is “institutionalized in the form of *educational qualifications*” (Bourdieu, 1986, p. 243, my emphasis). Cultural capital is fundamentally linked to the body and thus presupposes embodiment. This is because embodied cultural capital takes the form of “culture” which must be incorporated and thus demands inculcation and assimilation (Bourdieu, 1986, p. 244). Acquiring cultural capital requires an investment of time that must be made by the individual, the investor. As Bourdieu (1986) notes, this work of acquisition is “work on oneself (self-improvement)” (p. 244). The time it takes for acquisition includes the length of schooling and early domestic education, which may have either a positive or negative value.

From the lengthy investment associated with cultural capital (in its embodied state), cultural wealth is “converted into an integral part of the person, into *a habitus*” (Bourdieu, 1986, pp. 244-245, my emphasis). Habitus refers to the “systems of durable *dispositions*,” or “structured structures predisposed to function as structuring structures” (Bourdieu, 1973, pp. 63-64, emphasis is original; see also Bourdieu, 1990, pp. 130-131). This means the habitus is an internal (i.e., mental) structure that is the embodiment of external social structures (e.g., values, morals, tastes, etc.) which then guides thought and action and, in turn, (re)produces surrounding external structures. As Bourdieu (1973) notes, “The habitus generates a sequence of ‘moves’ which are objectively organized as strategies without in any way being the product of a true strategic intention” (p. 64; Bourdieu, 1977, p. 73). Depending on the field, with its particular “conditions of existence,” and one’s position within it, agents will develop a habitus characteristic of that field, and distinct from a separate field (Bourdieu, 1977, p. 85). This means that

by instilling different definitions of what is impossible, possible, probable and certain, the conditions of existence cause one group to experience as natural or

reasonable the same practices or aspirations which the other group finds unthinkable or scandalous, and vice versa. (Bourdieu, 1973, p. 66; Bourdieu, 1977, p. 78)

Thus, different fields produce a particular ‘matrix of perceptions, appreciations, and actions’ appropriate for operating within the field for which it is applied – that is, for responding to “all subsequent experience” (Bourdieu, 1977, p. 78). Following this, the habitus refers to what Sears (1999) has termed the ‘ethos of the lean person’ or the ‘active citizen’ (Walters, 1997). Along these lines, the ‘new vocationalism’ (Sears, 2000, 2003) and ‘new prudentialism’ (Peters, 2005) in education can be seen as strategies aimed at ensuring the production of the habitus of students to correspond with the social, political, and economic realities of neoliberal society.²⁹

Indeed, Bourdieu (1967) argues that the school is a central institution responsible for endowing individuals with a habitus (pp. 343-344). As he puts it: “‘Programmed’ individuals – endowed with a homogeneous programme of perception, thought and action – are the most specific product of an educational system” (Bourdieu, 1967, p. 340). “Individuals owe to their schooling, first and foremost, a whole collection of commonplaces” which cover the most ‘commonsensical’ prerequisites such as language, areas of encounter and agreement, common problems and ways of approaching those problems (Bourdieu, 1967, p. 341).³⁰ The

²⁹ See Mariana Valverde’s (1994) piece in which she argues that “moral capital” maximization of both the individual and the nation-state is a key aim of “agencies of moral regulation – *schools*, welfare agencies, charities” (p. 215, my emphasis). The accumulation of moral capital makes up a habitus, the product of moral regulatory processes. As a practice of governmentality, Valverde (1994) argues that the aim of moral reform “is not so much to change behaviour as to generate certain ethical subjectivities that appear as inherently ‘moral’” (p. 216). Moral regulation operates according to the demands of “moral capitalism,” the notion that economic aid ought to generate a moral profit (Valverde, 1994, p. 221). Valverde (1994) concludes that both sides of the current debates surrounding regulatory dilemmas of contemporary capitalism (that is, conservatives for small government versus liberals for ensuring a national minimum) in fact assume that “those in whom the State invests owe something in return, something embodied in the poor’s moral currency, character” (p. 231). Thus, moral regulation in contemporary Canadian society is suggested to operate according to a ‘moral capitalist’ perspective.

³⁰ See Bourdieu and Passeron’s (1977) *Reproduction* for a set of theoretical propositions concerning pedagogic action and social reproduction, which is partially based on the habitus and its relations with objective structures and practices. ‘Pedagogic work’ (i.e., learning) is considered an “irreversible process” (Bourdieu & Passeron,

habitus functions to accomplish an infinite variety of tasks by endowing subjects (or ‘agents’) with a system of cognitive structures (produced by its dialectical relationship with objective structures) and schemes of action (or “practical metaphors”), which creates a disposition to perceive and respond to opportunities (Bourdieu, 1973, pp. 67-68, 74). The habitus, then, produces practices which are defined by the relation between the social conditions for the production of habitus and those for the operation of habitus itself (Bourdieu, 1973, p. 67). Actors pursue strategies through tacit choice making, reflecting an individual’s accumulated capital (and corresponding dispositions) and its engagement with the opportunities (and constraints) of the field in which one is presently situated. Thus, education produces and distributes “educational capital” (drawing on Frauley, 2012) that instills a habitus that is aligned with the societal relations of a given social, political and economic context, which for the purposes of this thesis has been described as ‘neoliberalism’.

Conclusion

Drawing on Foucault offers a way of approaching education policy as a mechanism of social governance and further explicates themes I have presented in the literature on education and regulation (Frauley, 2012; Peters, 2001, 2005; Sears, 2003; Simon, 2007). Following the discussions in chapters One and Two, Foucault’s conception of governmental power reveals the way education is deployed in neoliberal capitalist society according to a biopolitical concern with populations and their management. Education policy operates as a form of social regulation in a governmental project toward successfully integrating students into the post-social political context and the restructured lean state, that is, towards market

1977, pp. 42-43) capable of producing a habitus which perpetuates itself after ‘pedagogic action’ (i.e., education in all its forms) has ended (p. 31).

dependence. Such a governmental project, I have argued, is at once disciplinary, as student integration requires that education condition a ‘habitus’ proper to the neoliberal context which students will face upon graduation from schooling. Thus, education is a key institution in ‘structuring a field of possible action’ through shaping individuals and consequently the population at large. The biopolitical linking of macro-physical biopower and micro-physical disciplinary power provides a theoretical framing of the regulation and management of youth in which social problems are viewed as issues of individual responsibility and matters of control.

Chapter Four offers a discussion of the policy documents I draw on surrounding the reformations in educational policy as it pertains to student discipline in Ontario. This will include the claims and arguments made by Ontario policymakers in the governmental ‘problematization’ of student discipline. Using the theoretical framework developed by using the work of Foucault and Bourdieu, and the sensitizing concepts fleshed out in chapters One and Two, makes it possible to generate an “alternative analytical account” of the education policy reformations in Ontario in an attempt to make sense of the educational field rather than simply “anatomize the governmental programmes that are brought to bear” (Garland, 1999, p. 33). This, in turn, enables a criminological understanding of the developments in education. In so doing, I put forward the claim that recent changes to student discipline policies contribute to orienting the operation of the educational field as a distinctly *neoliberal* site and mechanism of governance.

CHAPTER FOUR
Education, Student Discipline, and Social Order:
Making Sense of Recent Changes in Ontario Education Policy

What difference is a safe school going to make? It's going to keep kids in school. If you keep kids in school, then you go a big step toward addressing one of the real problems not only in this country but in every country, and that is that more than four out of five inmates in Canada's prison population are people who never completed high school. (Bob Delaney, MPP, in Ontario, 2007d)

Bullying requires attention from all of us because it remains such an underestimated and pervasive force in our schools. ... We also know that bullying is often a precursor to other violent behaviour. This is not acceptable in our schools or in our communities. ... [A] strong education system prepares all young people to become positive, contributing and respectful citizens in our diverse society. A healthy, safe, inclusive learning environment is a necessary precondition for that and for our students to succeed in school so that they can go on to find meaningful work in the workplace. (Hon. Laurel Broten, in Ontario, 2011b, pp. 403-404)

Having established the criminological relevance of education (see Chapter Two), and outlined a theoretical framework that explicates the articulation of discipline and governance (see Chapter Three), this chapter offers a discussion of education reformation in Ontario. The chapter is made up of two parts. Part one provides a descriptive analysis of Ontario education policy reform as it pertains to discipline from 2000 to 2012, utilizing sensitizing concepts discussed in Chapter Two: community activation, individualization of responsibility for personal welfare, market discipline, prudentialism, and empowerment. The influence of Foucault's work on discipline will be apparent here. This will illustrate the case of educational restructuring in Ontario, the empirical referent of this thesis, setting up part two of this chapter. Though parts will touch on the Progressive Conservatives' *Safe Schools Act* of 2000, I engage mostly with legislation enacted by the Liberal government. The reason for this is twofold. First, these developments are newer and continue to be in effect. Second, and more importantly, it is the Liberal government's policies that deployed particularly novel

strategies for creating safe schools, thus offering a more complex empirical referent in which to ground analysis.

In the second part of the chapter, I argue that education policies are increasingly deployed for the purposes of public safety and security by working through education to indirectly regulate, manage and govern what was conceptualized as the danger posed by the uneducated, or ‘miseducated’. Mandatory education, I will suggest, provides students with a form of educational capital, which may be basic but at the same time crucial for successful transition to citizenship in a neoliberal capitalist society such as Ontario. My claim will be that education operates as a security apparatus (drawing on Foucault, 1991) in that it has been conceptualized as a mechanism to control and manage the emergence of problem populations. The school’s disciplinary function, I suggest, constitutes education’s importance as an institution of governance.

The Origins of the Legislation

In 2004, the McGuinty government announced the establishment of the Safe Schools Action Team, which had been directed to review the safe schools provisions of the *Education Act*, along with related policies and programs. The appointment of the Safe Schools Action Team was announced as a collaborative effort between the Ministry of Education and the Ministry of Community Safety and Correctional Services, with the purpose of exploring and implementing new measures to protect children in Ontario schools (Ontario, 2004). A more general, wide-reaching goal was to follow from the stated *specific* goal of responding to the growing concern of preventing aggressive and antisocial behaviour among students. As Monte Kwinter, Minister of Community Safety and Correctional Services, suggested: “Safer schools mean safer communities ... This action plan is an important part of the McGuinty

government's commitment to protecting students, creating safer communities and making Ontario stronger" (Ontario, 2004). Thus, producing a safe school environment was tied to creating a safer (and "stronger") society at large, and therefore demanded governmental intervention through enacting legislation.

Of course, this was not the first time the Ontario Ministry of Education and Ontario's Legislature expressed concern over safety in its schools. In 2000, the Progressive Conservative government enacted Bill 81, *Safe Schools Act, 2000* (Ontario, 2000), which aimed to tackle issues of safety through mandatory disciplinary sanctions, including suspensions and expulsions. The *Safe Schools Act* was made up of two sections. The first described mandatory initiatives for schools to maintain safe environments, which included: the Ontario Schools Code of Conduct, outlining behaviours that were prohibited and, if committed, met by mandatory suspensions or expulsions; and, a police-school board protocol, requiring school boards to establish communication and cooperation with local police forces (Ontario, 2005a, pp. 7-8). The second section outlined the procedures to govern student discipline, which specified the factors involved in mandatory suspensions, expulsions and exclusions (Ontario, 2005a, pp. 8-10). The zero-tolerance philosophy and practices of the *Safe Schools Act* were targeted in the action team's review, as issues of consistency, fairness, long term effectiveness, and prevention were raised by the McGuinty government's overall safe schools action plan (Ontario, 2005a, pp. 13-14).

The Safe Schools Action Team was composed of experts in education and safety and initially charged with the task of reviewing the former government's *Safe Schools Act*. This would eventually lead to several Acts being passed, significantly transforming Ontario's approach to school safety. In 2007 the Ontario Ministry of Education introduced Bill 212, the *Education Amendment Act (Progressive Discipline and School Safety), 2007* (Ontario,

2007a). School safety would continue to be a central concern of the government, as two other statutes followed: the *Education Amendment Act (Keeping Our Kids Safe at School), 2009* (Ontario, 2009a)³¹ and Bill 13, the *Accepting Schools Act, 2012* (Ontario, 2012a).

The Liberal government approached school safety by targeting the previous Conservative government's 'zero tolerance' approach. Suspensions and expulsions were challenged as a response to the perception that the Conservative government's *Safe Schools Act* (2000) emphasized zero tolerance disciplinary strategies rather than *prevention*. The emphasis on suspending and expelling students was also perceived to be a threat to the entire community's safety, as it was believed that suspended and expelled students had nothing to do with "few *productive* alternatives to school" (Ontario, 2005a, p. 14, my emphasis), thus implying that those students are positioned as suspicious and dangerous. As Minister of Education Hon. Kathleen Wynne argued, mandatory programs for these students to earn their way back into the classroom would operate in the best interests of the child, "but surely, [also] in the best interests of all of us in society, because we need each of those students to reach his or her potential. That will never happen as long as kids are relegated to the mall or relegated to the streets because we have not provided opportunities for those students" (Ontario, 2007c; see also Rosario Marchese & Bob Delaney, MPPs, in Ontario, 2007d; Bisson, in Ontario, 2007e).

Those youths who are kicked out of school, then, were presented as those who go on to be problems in our streets and communities (for example, the homeless, criminals, loiterers, panhandlers, etc.). MPP Peter Tabuns reinforced this idea as commonsensical, suggesting the legislature took too long to finally recognize "that simply expelling or

³¹ I focus less on this bill, as it sets out to mandate the process of school officials' reporting and responding to misbehaviour. It is important to mention here, though, since it is a policy responding to the need to rethink school safety.

suspending kids who are problems was simply going to *move the problem onto the street and mean more difficulties for society*” (Ontario, 2007c, my emphasis; Ontario, 2007d). Failing to keep students in school was seen as “passing off our problem to somebody else in society. It might be the police; it might be social services” (Gilles Bisson, MPP, in Ontario, 2007e; see Ontario 2007c). Thus, the problematization of the *Safe Schools Act* came as a response to growing concerns over preventing students from becoming problems both in school and for the wider community.

The ‘Discovery’ of Bullying

Although it is clear how student punishment was tied to public safety in the perceived threat posed by students kicked out of schools, what is *not* clear is why and how *school safety* was connected to that problem. (If suspended/expelled students were seen as dangerous to the public, why not simply stop kicking youths out of school?) The connection, as I will demonstrate in this section, was forged in the ‘discovery’³² of the concept of ‘bullying’.

In 2005, after province-wide stakeholder consultations were held as part of the government’s “safety audit” (Ontario, 2004; Ontario, 2005a), the Safe Schools Action Team submitted *Shaping Safer Schools: A Bullying Prevention Action Plan* (Ontario, 2005b), which found that ‘bullying’ was a significant problem in schools. Bullying was essentially ‘discovered’ by the safety audit in the sense that previously it had “too often ... been

³² I use the term ‘discovery’ here in a way that is similar to Peter Conrad’s (1975) usage in his discussion on “the discovery of hyperkinesis,” and Stephen Pfohl’s (1977) on “the ‘discovery’ of child abuse.” I share their concern with the way behaviours can come to be defined as deviance, or a medical problem, in need of control. However, my usage differs in that these authors tend to treat the transformation in meaning as a result of power imbalances between groups (e.g., pharmaceutical companies), whereas I consider objects of regulation as in need of being constituted as such. That is, following Alan Hunt (1993; drawing on Foucault), ‘discoveries’ of social problems in need of regulatory intervention are “closely connected with the collection of information not previously available (or, if available, not recognized)” (p. 316).

downplayed as simply ‘part of growing up’” (Ontario, 2005b, p. 11). In this paper, the Safe Schools Action Team put forward their recommendation “to make Ontario’s schools safer through a province-wide bullying prevention plan” (p. 1). Though parties more or less differed in terms of how exactly to secure schools from bullying,³³ all parties nonetheless concurred that the matter was an immediate and continuing issue to which government had the responsibility to respond through social policy in a “non-partisan” manner (see Ontario, 2007c; Ontario, 2011a, p. 225; Ontario, 2011b, p. 413; Ontario, 2012b, p. 1264). Education Minister Broten’s comment seven years later, quoted in this chapter’s epigram, echoes Education Minister Kennedy’s concern that “Bullying is an underestimated and pervasive problem. . . . It is a proven precursor to violent behaviour and is never acceptable in Ontario’s schools or communities” (Ontario, 2005d). This is consistent with the Action Teams’ statement that bullying has “wide-ranging ramifications not just for schools, but for our entire society” (Ontario, 2005b, p. 5). Bullying posed problems at three levels, resulting in the conjunction of school safety and public safety: it was an immediate threat to student safety; an immediate threat to communities since bullying behaviour cultivates violence; and, a *long-term* safety concern for communities in that bullying behaviour impeded students’ educational experience. It followed that another driving force behind the significant emphasis on school safety, repeated throughout the years of debates and publications, was that “safe schools are a prerequisite [and precondition] to learning and achievement”

³³ The Progressive Conservative Party conceded at various points of the debates that their *Safe Schools Act* was not perfect and that they agreed with Bill 212 “in principle” (for example, see Ted Arnott, MPP in Ontario, 2007d). In fact, one argument against Bill 212 from Conservatives (which the Liberals rebutted) was that the policy could not eliminate the harsh disciplinary practices of the *Safe Schools Act* (for example, see Frank Klees, MPP, in Ontario, 2007c). Though New Democrat MPP Marchese was critical of the time it took the Liberals to introduce Bill 212, he was clear that NDPs would support the bill (see Ontario, 2007c,d). It is also important to note that the day the *Accepting Schools Act* (Bill 13) was first introduced, a separate but related bill was also introduced, which the opposition fully supported: Bill 14, *Anti-Bullying Act, 2012*. Although Bill 14 never moved to third reading, all parties considered the introduction of two bills on the same topic as an indication of the necessity of eliminating bullying and enhancing safety in Ontario schools.

(Ontario, 2005a, p. 6; Ontario, 2005b, p. 29; Ontario, 2005c; Ontario, 2006a, p. 6; Ontario, 2007a,c,d,e; Ontario, 2008a; Ontario, 2011a,b; Ontario, 2012a,c).

With this ‘discovery’ of bullying (via ‘safety audit’), concerns over school accountability for children’s safety, and hence academic success, later emerged (see Ontario, 2012b, pp. 1267-1268, 1281; Ontario, 2012c, p. 1348; Ontario 2012g, p. 1823, 1830). By 2005, the Ministry had developed and made available “School Climate Surveys” in order to collect “student, staff and parent perspectives on school safety” (Ontario, 2006b) to help “determine school needs and make decisions on bullying-prevention programming” (Ontario, 2007h). In 2012, Bill 13 made mandatory the use of School Climate Surveys, though these had been used by some school boards for several years before (e.g., Ontario, 2009b,c,d). With Bill 13 passed, every school board was required to conduct these surveys (for students, teachers, and parents) at least once every two years. This mechanism of evaluation was suggested to allow the government to gauge *perceived* levels of safety in its schools to determine the effectiveness of the progressive discipline approach and whether changes to its strategy were necessary. It was also suggested to make schools accountable for student safety, asking students how often bullying was experienced, and whether teachers, vice-principals and principals *attempt* to stop bullying in their school. Students are asked questions as vague as “Do you feel safe at school?” and those as specific as:

Where and how often does bullying/harassment occur?

- a) Classrooms – Never/Sometimes/Often/Always
 - b) Hallways – Never/Sometimes/Often/Always
 - c) School entrances and exits – Never/Sometimes/Often/Always
 - d) Library – Never/Sometimes/Often/Always
 - ...
 - k) On the way to and from school – Never/Sometimes/Often/Always ... [and so on].
- (Ontario, 2009c, p. 12)

The survey goes on to ask more detailed questions concerning when during the school day students believe they are most “at risk” of being bullied, who they go to when they are bullied, and so on. Conducting a provincial ‘safety audit’ and subsequently implementing this mechanism for evaluating success of bullying prevention helped make ‘bullying’ a “known object” (see Hunt & Wickham, 1994, p. 78), which in turn made school safety a conceivable and governable entity.

These mechanisms for evaluating school safety and determining the effectiveness of their bullying prevention strategies were crucial for ‘discovering’ bullying in that they provided information that created the object itself. Indeed, bullying was recognized as a complex entity to be defined.

[W]hen we talk about bullying, we’re talking about not just physical bullying, which is how people used to think about bullying – you know, the schoolyard bully who was knocking the other kids around – but we understand today, when we look at the bullying research, that bullying also includes verbal bullying ... [and] social bullying, which is the bullying of ostracism. (Liz Sandals, in Ontario 2007f; see also Ontario; 2007c; Ontario, 2011a, p. 225)

Bill 212, however, did not include a definition of what constituted ‘bullying’ – the legislature simply added the concept as a behaviour that could lead to suspension. The passing of Bill 13 sought to resolve this by putting forward a more detailed legal definition of the behaviour. On top of this, Bill 13 also added a sort of sub-category of bullying in the concept of “cyber-bullying” (Ontario, 2013a, p. 2). This is a significant development, as it attests to the fact that “while knowledge is used to select objects for governance, the objects of governance are only ever known through governance” (Hunt & Wickham, 1994, p. 87). Thus, through governing bullying, we may expect new variants of bullying, as well as other problems surrounding it, to emerge. In this way, these mechanisms of evaluation in fact concretize the problem of bullying.

Bullying, then, became the main impediment on safety inside and outside schools, as it was seen to be the reason behind suspensions and expulsions, thus forcing more youth ‘onto the street’ and jeopardizing the academic success of some students. Bullying activity was suggested by some to have turned the school day into a “battleground,” “battle field” or “a grind” in which students needed protection (Ontario, 2012h, p. 1826; Ontario, 2012L, p. SP-80, SP-88, SP-94; Ontario, 2007c,d). This resulted in two important categories: the *bully* and the *victim*, which both have as their status ‘threats’ to safety. Indeed, bullying was positioned as the most significant problem provoking the reformations in education policy in that “Ontario has reached a breaking point with bullying in our schools” (Ontario, 2011a, p. 225) – termed a “life-and-death problem before us” (Ontario, 2011a, p. 226), as the issue of teen suicide was raised repeatedly throughout the debates concerning Bill 13. Though the deaths from teen suicides undoubtedly disturbed the majority of policymakers and stakeholders, emphasis was in fact put on the *life* problems caused by bullying. That is, beyond the disturbing situation of suicide attached to bullying, it was bullying’s wide-reaching and long-lasting effects on students’ future lives as adults that needed to be avoided.

In sum, the Safe Schools Action Team’s overarching recommendation was that bullying *prevention* should be a priority for all school boards and schools (Ontario, 2005b, p. 6). This established the basis of the shift in thinking about school safety. The emphasis was to be put on preventing particular behaviours (and encouraging others) among students, with adults in (and around) schools administering, implementing and enforcing the Ministry’s prevention policies. In other words, school safety, and consequently community safety, was seen as contingent upon student discipline. Progressive Conservative MPP Frank Klees’ statement that it is “fundamentally wrong that we simply suspend or expel students and leave them without the supports they need ... to transition back into [the] classroom and become

the best they can possibly be” (Ontario, 2007c) captures this shift in thinking about school safety, stressing the need to rethink disciplinary practices in order to cultivate ideal subjects in Ontario schools rather than simply attempting to eliminate (i.e., suspend or expel) the problem at the school level. As the preamble of Bill 13 declares, the people of Ontario “[b]elieve that education plays a critical role in preparing young people to grow up as *productive, contributing and constructive citizens* in the diverse society of Ontario” (Ontario, 2012a, p. 1, my emphasis). Indeed, Liberal MPP Bob Delaney’s comment quoted in this chapter’s epigram, suggesting a link between lack of education and criminality, points to the logic suggesting that primary and secondary education has a crucial role in preventing problems inside and outside of the school. As he further commented in relation to the importance of ensuring that youth stay in school: “We don’t want to chase you out; we want to chase you in” (Ontario, 2007d).

Schooling and Bullying

This section explores the changes to education policy as a result of Bill 212 and Bill 13. I begin, briefly, with the concept of ‘progressive discipline’ as a response to the need for keeping students in school, as discussed above. I then turn to the construction of the categories of ‘bully’ and ‘victim’ as key figures in the development of the problem of ‘bullying’. Lastly, I discuss the tactics of dealing with bullying. Though credentialing more students by ensuring they complete their high school education was considered one way of protecting the public, the actual form of the educational capital that Ontario schools offered students was also problematized by the legislation. The form and content of education needed to be reoriented in order to respond to various needs, including activating students and communities, workplace readiness, and responsabilizing students for their safety.

Educational capital could only help enhance public safety and security if it was reformed to properly prepare students for adult life.

(i) *Progressive Discipline*

Perhaps the clearest indication of the move away from a zero-tolerance approach to student discipline and safety was the emergence and celebration of the concept ‘progressive discipline’. Progressive discipline, according to the Ontario Ministry of Education, is an approach to student discipline that promotes positive behaviour and ensures appropriate consequences in the case of inappropriate behaviour (Ontario, 2008a). Under a progressive discipline regime, bullying is added as an infraction for which suspension must be *considered*; mandatory suspensions and expulsions are replaced (except in limited circumstances) by requiring principals to consider all factors in specific cases, and suspended/expelled students are offered more opportunities to continue learning and “help them get back on track” (Ontario, 2008a). As Harinder Takhar argued, in support of Bill 212’s capacity to deal with students getting into trouble, “We need to do the progressive punishment, not just kick the kids or the students out as soon as they get into trouble ... We need to make sure that they get integrated into society and into the schoolroom” (Hon. Harinder Takhar, in Ontario, 2007d). This approach was suggested to help students learn from the decisions they make by offering more supports, such as social workers, psychologists, and youth workers, offering students “support, counselling, and early intervention” (Ontario, 2008a). In practice, the Ministry suggested, this means that positive student behaviour is promoted through “character and citizenship development” programs, involving: bullying prevention programs (see below); volunteer activities or career counseling; and, early and ongoing intervention through counseling (e.g., anger management,

substance abuse), youth services, and police services³⁴ (Ontario, 2008a; Ontario, 2013).

Progressive discipline thus provides a range of options to address misbehaviour before considering suspension or expulsion, what was termed a “continuum of discipline” (Ontario, 2007c,g).

This concept of ‘progressive discipline’ operates along the lines of Foucault’s conception of discipline as a positive modality of power, as discussed in Chapter Three. Indeed, as Minister of Education Kathleen Wynne put it, the progressive disciplinary regime was a “positive” approach to discipline, distinguishable from one with a “negative view of our students,” in that it is “rooted in a strong liberal – and that is small-l and capital-L Liberal – belief in human potential” (Ontario, 2007g). The processes traced by Foucault, of hierarchical observation (or, surveillance) and normalizing judgment (or, normalization) were deployed as a means of constituting particular subjects endowed with a habitus. The progressive disciplinary regime made possible the placing of students into certain *categories* by making ‘bullying’ known (and thus, *visible*) to students and other schools actors. From this, students would be subjected to a “micro-penalty” (Foucault, 1995, p. 178) surrounding the *norms* of behaviour in Ontario schools. The following section analyzes the production of the various categories of students produced by bullying, and their role in governing student populations. In producing these categories, I suggest, an ideal category of student was constructed to which students must strive.

³⁴ Ontario school boards and police services are required to establish a “local police/school board protocol” in order to ensure consistency and cooperation between both domains (see Ontario, 2011c). The protocol sets up a proactive role for police services, which involves: “assisting in the development of young people’s understanding of good citizenship;” “promoting and fostering the prevention and reduction of crime, both against and committed by young people;” “diverting young people away from crime and antisocial behaviour;” and “support[ing] positive youth development” (Ontario, 2011c, p. 6). However, the punitive role of police was not done away with, and I discuss this at more length later in this chapter.

(ii) *The Categories of Student: Bully, Victim, Witness*

What this chapter has been describing, essentially, is the context that made possible the development (and problematization) of a discursive reality in the concept of ‘bullying’ and its central agents in the *categories* of the ‘bully’ and the ‘victim’. Bullies and victims were a large focus of the safe school strategy in that neither was the sort of student Ontarians wanted (or needed) its schools to be graduating (or failing to graduate). On the one hand, the *victim* of bullying was seen as inundated with physical and psychological issues, dealing with “anxiety and loneliness, withdrawal, physical ailments, low self esteem, absenteeism, diminished academic performance, phobias, depression and even aggressive behaviour. In the most extreme cases, the result is suicide” (Ontario, 2005b, p.10). “Those that survive bullying,” MPP Jeff Yurek suggested, “are affected emotionally for life. They’re scarred, and it’s hard to bring them back” (Ontario, 2012e, p. 1487), thus implying that bullying produces damaged individuals well beyond their school career. As MPP Laurie Scott put it, bullying shapes students’ lives which means “the less chance of getting a better education, the less self-confidence [and self-esteem--KG] they have, *the less productive they are in society*” (Ontario, 2012f, p. 1652, my emphasis; see also Ontario, 2012g, p. 1829). Moreover, these students also tend to drop out as an escape, which leads to “suffer[ing] the long-term personal and socio-economic consequences of an interrupted education” (Ontario, 2005b, p. 10; see also Ontario, 2013, p. 4).

On the other hand, the *bully*’s behaviour could lead to developing “other significant problems including moral disengagement, delinquency, substance abuse, adult criminality, and even suicide” (Ontario, 2005, p. 10; see also Ontario, 2013, p. 4). Forced out of school with nothing ‘productive’ to do, and consequently not succeeding academically, the bully was a potential threat to the wider community’s safety. That is, these students were

conceptualized as a threat, or what Sears (2003) has called a “hardened layer of children” (p. 57), as a result of being out of the market, whether education or labour (see also Peters, 2005). Moreover, their behaviour was considered disruptive to students (socially, physically, academically, etc.) who went to school to learn. It was argued that when students fail to complete their education (as ‘drop outs’, due to either suspensions/expulsions or being bullied), “they will never have access to good-paying jobs, and in many cases, particularly with younger people, they’ll become *a burden on society* because education is becoming so critical to getting any sort of permanent, good-paying job” (Liz Sandals, Chair of Safe Schools Action Team, in Ontario, 2007f, my emphasis). Bob Delaney argued similarly:

Mess up in school and you’re much more likely to be on your way to a desperate, hand-to-mouth existence, with few resources and even less hope. ... This [Bill 212] is all about finishing what you’ve started [your education]. If you don’t have that secondary school diploma, your visions and your horizons are going to be a lot, lot lower, and life will be colder and more brutal than it will be for your friends who stayed in school. (Bob Delaney, MPP, in Ontario, 2007d)

Secondary education, then, was considered to provide students with perhaps the most basic, but also the most necessary form of educational capital to secure positive living conditions. Without this educational capital, individuals would go on to live a precarious life, likely resorting to dependence on social welfare or even criminality. In short, bullying was widely considered “a scourge on our society today” in that it “damages children” (Charles McVety, Institute for Canadian Values, in Ontario, 2012j, p. SP-28).

The bully and victim populations were understood to be too significant to be allowed to persist with impunity, thus requiring a solution. As a result, the bully and the victim became central to rethinking schooling. As Kathleen Wynne, Minister of Education, argued:

We can’t afford to ignore the fact that there are kids who are suffering in our schools because of the behaviours of other students, and we need to make sure that supports are in place for those kids. So the addition of bullying as an infraction that has to be

looked at very seriously and for which suspension must be considered is absolutely a move in the right direction. (Ontario, 2007d)

Thus, in tackling bullying, bullying itself became an infraction under the Ontario Code of Conduct. According to the progressive discipline regime, however, suspended and expelled students were now required to complete a special program to allow their reintegration into the school and classroom (see Ontario, 2007a; Ontario, 2012a). These programs would ensure that students take responsibility for their actions, considered an important part of education. In terms of the need for special programs for misbehaving students, Bob Delaney suggested, “realizing that part of the act of becoming an adult is taking responsibility for your actions is one of the real strong points in [Bill 212]. It’s one of the things that’s going to really make a difference” (Ontario, 2007d). Later on, Bill 13 would extend this to include *all* bullies regardless of whether a suspension or expulsion was issued. Alisa Simon of Kids Help Phone, a national phone service for youth to speak with professional counselors, echoed the same concern over bullied students while adding the importance of also tending to bullies themselves. As she put it, the struggles that youth endure from being bullied

cause serious damage socially, psychologically, academically and even physically. They set victims on a path of continuous distress and self-blame and can cause mental health challenges. In addition, bullies, those young people who are bullying, are more likely to sexually harass, become involved in delinquent behaviours or engage in dating violence, so they also need our attention. (Alisa Simon in Ontario, 2012n, p. SP-198; see also Ontario, 2013, p. 3)

The aim was to transform bullies into positively behaving students, in an attempt to reverse (or, at least, minimize) the damage done by their behaviour. Instead of the previous government’s focus on simply punishing misbehaviour, this legislation sought to deal with the destructive behaviour of bullying appropriately and progressively, to prevent the bully from engaging in bullying behaviour in the future. MPP Rosario Marchese made the point that “[i]t’s our job as a system to help. If we help them and we correct that behaviour and

that misbehaviour is not repeated, we help that student, we help the school, we help everyone – we help society” (Ontario, 2007d).

Such tactics for responding to bullies also provide insight to how the nature and cause of bullying were imagined. The notion of bullies ‘taking responsibility’ for their actions as essential to the school’s response clearly suggests that bullying was partly caused by students not effectively controlling themselves. “The real issue about addressing student bullying is to teach students the importance of respecting others and *to self-regulate*” (Susan Swackhammer, Elementary Teachers’ Federation of Ontario, in Ontario, 2012m, p. SP-150, my emphasis). This is reiterated with a religious undertone by Elaine McMahon of Ontario English Catholic Teachers’ Association, as it was understood that “love of self” was lacking among bullies: “We need to support these children and teach them coping skills. Inappropriate behaviour is the manifestation that something is wrong. To enable inappropriate behaviour sends the message that one does not have to take responsibility for his or her choices” (Ontario, 2012n, p. SP-196). This was suggested to be present in one school board’s “successful practice” of employing a

Restorative Justice process that is designed to *enhance interpersonal skills* and develop empathy in students involved in school violence. ... By listening and facing the situation, the student can develop a sense of empathy and *a willingness to take corrective action and accept responsibility*. Restorative Practices is used as a tool in classroom management by teachers and support staff. (Ontario, 2006a, p. 14, my emphasis)

There is, then, a definite shift in the way the bully is conceptualized, from the harsh punishment of suspension or expulsion for the misbehaving student, to a focus on the student’s delayed capacity for self-control and its threat to individual and social well-being. The formation of the ‘bully’ thus made ‘bullying’, in part, governable through new solutions such as these special programs for reintegrating the bully into the classroom. What this

categorization did, in effect, was make it possible to sort individual students into groups for their management. This sort of management would assign the status of ‘bully’ to a group of individual students, classifying that group as a threat to school and public safety. As a result, it was seen as appropriate to act upon that group by way of removing from the school those students behaving as bullies and processing them through a separate, special (disciplinary) program in which they would supposedly learn to take responsibility both for what they have done and for self-regulation in the future. Only in completing the program could a ‘bully’ “earn their way back into the classroom and complete their education” (Kathleen Wynne, in Ontario, 2007b; 2007c).

As I have alluded to previously, the victim was seen as having endured traumatic experiences that could likely lead to a damaged adulthood, as a result of both diminished academic performance and long term emotional/psychological scarring. Though the victim was treated with more sympathy than the bully throughout the debates, the victim was also considered a ‘lost’ subject that needed to be ‘brought back’ by way of counseling. As Peter Tabuns suggested, bullied students need “social and psychological supports to actually deal with the problems” in order to

avoid both the larger tragedies that we’ve seen recently in this community and the *smaller, mundane, day-to-day, week-to-week, month-to-month tragedies that ultimately result in a person’s life being wasted, being set aside, outside of the mainstream productivity and opportunity in this society.* (Ontario, 2007h, my emphasis)

In this way, the victim and the bully are reacted to, and thus envisioned, similarly: Bill 13 requires that school disciplinary measures provide “support for pupils who are impacted by inappropriate behaviour, *and for pupils who engage in inappropriate behaviour, to assist them in developing healthy relationships, making good choices, continuing their learning and achieving success*” (Ontario, 2012a, p. 7, my emphasis). In a sense, then, the victim is

conceptualized similarly to the bully, requiring additional training (via counseling/programming) on how to take responsibility for their situation and self-regulate in the future.

Out of this legislation, a third key figure to the bullying prevention strategy emerged: the *bystander* or *witness* of bullying. The progressive discipline regime included programming for witnesses of bullying, similar to what we have seen with the bully and the victim. Essentially, this meant that all students were considered to be involved with and contributing to the bullying problem, either directly or indirectly. As Hon. Laurel Broten suggested, “there are no good guys and bad guys; today’s *bully* can be tomorrow’s *bullied*, and a *bystander* the day after that” (Ontario, 2011b, p. 407, my emphasis). This was largely because bullying was understood as “a learned behaviour” that has long-lasting effects on all who experience it: “It is a cyclical problem, and if not addressed in childhood, it will burden our medical, policing and social service programs with hurt and hurting adults. Simply put, bullying costs time, money and literally lives” (Lynne MacIntyre, Guelph Anti-Bullying Coalition, in Ontario, 2012L, SP-80).

Thus, the categories of the ‘bully’, the ‘victim’ and the ‘witness’ did not necessarily refer to coherent groups, as one could easily be classified as all three at once. The ‘witness’ effectively operated as a mechanism to formulate ‘bullying’ as a pervasive force in that *all* students were affected by the problem, not only the bullies and victims. Indeed, drawing on education research, the Ministry pointed to the “significant impact” witnesses have on bullying:

[P]eers are present in 85% of bullying episodes observed on school playgrounds, [and] *peers are part of the problem three-quarters of the time*. They spend 53% of the time passively watching, and 22% of the time helping the bully. In 57% of instances when peers intervene positively, however, they are effective in stopping the bullying within 10 seconds. (Ontario, 2005b, p. 11, my emphasis; see also Ontario, 2013, p. 9)

Bullying, then, was not a matter concerning solely the direct bully and direct victim, thus setting up bullying within schools as pervasive. Obviously, if students could learn the behaviour from others, and this was thought to likely be the case, the witness posed a problem as a potential disruption to the progressive disciplinary regime. Through the witness, bullying became an everyday reality (or perhaps, anxiety) which needed to be managed. Before a parent should be at ease that “at least [their] child isn’t involved in bullying,” a parental guide on bullying published by the Ministry confirmed that “[e]veryone suffers when bullying occurs, and everyone can help prevent it” (Ontario, 2013, p. 9, my emphasis). With the potential disruptive force in witnessing bullying, a preventative strategy was made necessary in order for the progressive disciplinary regime to function. *All* students, then, were responsabilized for the management of bullying in schools.

The focus of this section has been the way in which Ontario’s progressive disciplinary regime could produce and classify students as ‘bullies’, ‘victims’ and/or ‘witnesses’, and as such, subject them to programming that would (re)align their conduct with normative expectations as set out in the field of education. This was an instance of what Foucault would term ‘correcting’ student subjects according to a ‘norm’. As the bully and the victim were categories of student deemed undesirable for various reasons, both figures began to constitute a norm of behaviour by clearly setting out what was *not* expected of students. The categorizing of students as bullies or victims made up the “negative pole” of the distribution of behaviours (Foucault, 1995, p. 180). Though ‘progressive discipline’ was thought to eliminate an exclusionary discipline regime (as in the Conservatives’ customary use of student suspension and expulsion), the implementation of special programming for bullies and victims effectively functioned as an exclusionary process of discipline to exercise

over students “a constant pressure to conform to the same model ... [s]o that they might all be like one another” (Foucault, 1995, p. 182).³⁵ In the following section, by analyzing the preventative strategy that would operate alongside progressive discipline, we get a sense of the ‘model’ student-subject that Ontario education policies sought to produce and how.

(iii) *The Prevention of Bullying*

Progressive discipline’s approach to dealing with the danger posed by the bully and victim alone could not effectively manage the phenomenon of bullying, particularly due to the notion of the witness as potentially learning bullying behaviour. The disciplinary project needed to extend its reach, which was possible through a bullying prevention strategy that would involve all school actors. As I will argue, the extension included the creation of what I term a ‘pedagogy of bullying’, with the aim of transforming the everyday practices of schooling to develop a ‘prevention-oriented education’. As a result, I suggest, surveillance over students was expanded not only because more students would be subjected to a ‘disciplinary-normalizing gaze’ (Foucault, 1995), but because students would now *subject* the gaze as well. The bullying prevention strategy developed by the Ministry of Education put forward a norm of conduct around which students were ‘judged’ (see my discussion in Chapter Three, and Foucault, 1995). As we will see, the various prevention techniques sought to responsabilize students for their personal well-being by enhancing their ability to self-regulate, which also meant actively regulating their peers’ behaviour. Bullying made it possible, then, to add yet another process of examination to the “apparatus of uninterrupted examination” that Foucault (1995, p. 186) saw in the school. That is, students would be

³⁵ It is in this sense that the process of ‘exclusion’ – seemingly inconsistent with the *productive* nature of disciplinary power – is in fact deployed ‘positively’ (see Chapter Three). That is, exclusion does not work by merely eliminating the ‘abnormal’ but by utilizing the process of excluding as an opportunity for ‘correcting’ any deviations from the norm.

perpetually subject to examination surrounding their conduct in reference to bullying, which would make it “possible to qualify, to classify, and to punish” (Foucault, 1995, p. 184).

In the framework document *Finding Common Ground: Character Development in Ontario Schools, K-12*, the Ministry of Education argued that a “quality education includes the education of the heart as well as the mind. It includes a focus on the whole person” (Ontario, 2008c, p. 2). The character development initiative in Ontario began its implementation in the 2007-08 school year. Though Ontario students were purportedly seeing improvements in learning and achievement, the Ministry pointed out that the preparation of students to be “productive citizens” was lacking. Intellectual development needed to be balanced with character/citizenship development to deliver the promise of “educat[ing] all students successfully” (Ontario, 2008c, p. 2). The essential elements that form the foundation of character development include: learning and academic achievement; respect for diversity; citizenship development; and, parent and community partnerships (Ontario, 2008b, p. 6). “Character development,” as the framework document put it, “is education at its best” (Ontario, 2008c, p. 2).

Thus, schooling was conceptualized in a way that varied from an orientation entirely towards academics or intellectual curiosity. As the Ministry of Education suggested,

A quality education is not only geared towards the intellect, but also towards *attitudes, behaviours, dispositions and sensibilities*. It emphasizes all *aspects of the self and domains of learning – the cognitive, affective, attitudinal, and behavioural*. Character development, which encompasses all these domains, is a *fundamental goal of education in Ontario*. (Ontario, 2008c, p. 10, my emphasis; Ontario, 2008b, p. 7)

Among other things, character education would produce “positive results and improvements” in “student engagement, motivation and achievement;” “equity and respect for diversity;” “self-discipline, pro-social behaviour and interpersonal relationships;” “school culture,

civility and feelings of safety;” and, “preparation for the workplace” (Ontario, 2008c, p. 12).

Importantly, these attributes of character development were tied to successful citizenship:

Our vision for education in Ontario is one of excellence in academic achievement and the development of both character and the competencies of responsible citizenship. ... As the province strives to provide the best possible education for all students, there is *a need to transmit* from one generation to the next *the habits of mind and heart that are necessary for good citizenship* to thrive. ... Character development, when fully implemented, permeates the entire life of the school. It is woven into policies, programs, practices, procedures, processes and interactions. It is *a way of life*. (Ontario, 2008c, p. 9, my emphasis)

With character development making up a way of life for students, and significant to improving workplace readiness, successful citizenship was directly tied to labour market integration. Preparation for the workplace was sought through character development, as the Ministry emphasized essential skills and work habits that are pertinent to “virtually all occupations” (e.g., reliability, responsibility, integrity, initiative, and respect) (Ontario, 2008c, p. 10, 12). More benign attributes such as “honesty” and “respect for diversity” were also tied directly to labour market integration, as they were conceived as “personal management skills ... essential for students entering the workplace” (Ontario, 2008c, p. 10). Through character development, it was argued, students are provided with ‘tools’ or ‘skills’ (which are in fact *attitudes* or *dispositions*) that will influence positive outcomes in their lives. This resonates with Sears’ (2000, 2003) argument that education in the lean state is less about skills development and more concerned with cultivating attitudes aligned with labour market needs. These ‘skills’ would empower students to “function effectively in our diverse society and in our global economy” which “individuals and society need in order to achieve excellence in all facets of life” (Ontario, 2008c, p. 17).

Attached to the character development initiative was the concept of *citizenship development*.³⁶ Though ‘citizenship’ is suggested to be a right and a responsibility, we can see that the emphasis was on the latter, particularly when considering the Ministry’s statement that citizenship is a “privilege that we must not take for granted” (Ontario, 2008c, p. 22). Citizenship development rested on student acceptance of and commitment to responsibilities associated with the notion of ‘community’. This is seen in the celebration of ‘service learning’ as offering students “*opportunities to experience both the need for and rewards of building community*” (Ontario, 2008c, p. 22, my emphasis). The mandatory forty hours of community service in Ontario is suggested to nurture a strong sense of “volunteerism” among students, which is equated with “civic engagement” (Ontario, 2008c, p. 22). These programs were argued to nurture character development (again, conceptualized in relation to labour market integration) in that they respond to “the call from the business community for schools to develop well-rounded individuals capable of thriving in a global economy” (Ontario, 2008c, p. 24). Service learning seeks to challenge students to take on more personal and social responsibility, which was thought to produce ideal citizens. Tying citizenship with responsibility and community-building has been a feature of the lean disciplinary model outlined by Sears (1999, 2003). As the Ministry of Education put it: “Schools must take a leading role in citizenship development as students assume *increasingly important responsibilities for the improvement of their communities*” (Ontario, 2008c, p. 23, my emphasis). Thus, citizenship was contingent upon the acceptance and fulfillment of responsibilities, which the education system sought to promote and naturalize.

³⁶ See Sears and Hughes (2006), who point to the common conflation of citizenship education and character education by education systems. Sears and Hughes (2006) maintain, “Citizenship Education and Character Education, however, are not the same thing” (p. 12). This results in a form of ‘indoctrination’, teaching students that good citizenship is equivalent with a specific conception of *good character* which emphasizes a common vision of the world (Sears & Hughes, 2006, p. 13). Following my discussion in chapters One and Two, that common vision will be in accordance with neoliberal principles and values.

Increased responsibility for personal and community well-being was also applied in approaching the immediate safety conditions of schools and communities. Since education was argued to be so crucial to the safety of future communities, schools needed to be made safe immediately, as we have seen that no learning could reasonably occur without the sense of ‘safety’. As bullying behaviour was seen as the primary threat to student safety, bullying needed to be eliminated from the school environment. Impeding students’ capacities to learn, bullying not only hurt some students’ academic success, but was also seen as counteractive to character and citizenship development. According to Liz Sandals, stakeholders saw “prevention strategies” as important to “deter inappropriate behaviours and help *all students make sound personal decisions*” (Ontario, 2007c, my emphasis). The prevention of bullying, then, became a key element of education in Ontario,³⁷ constituting the ideal student as one who takes responsibility to actively manage the school community’s safety as well as one’s personal well-being. In this way, students would be ‘responsibilized’ (Garland, 2001; O’Malley, 1992).

Although a ‘whole community approach’ to end bullying (involving principals, teachers, students, parents,³⁸ community organizations, etc.) was adopted, the student’s role

³⁷ For instance, Bill 13 designates one week in November of each school year as ‘Bullying Awareness and Prevention Week’ (Ontario, 2012a, p. 4). This week is meant to encourage all school actors to learn more about bullying, its effects, and how to prevent it, through various activities, events, and launching new initiatives. With its emphasis on student awareness and empowerment, implementing Bullying Awareness and Prevention Week was, as one stakeholder put it, “an important step in changing the culture surrounding bullying ... [and] efforts to educate Ontarians” (Nancy Kirby, Ontario Catholic School Trustees’ Association, in Ontario, 2012L, p. SP-135).

³⁸ It is perhaps important to note the responsibility assigned to parents over matters of bullying insofar as it attests to the expansion of surveillance over students. Parents were encouraged to look for “signs” to determine whether their child may be a bully: “Children who bully may sometimes be aggressive and disruptive at home and may not show respect for household rules. If you are concerned that your child may be bullying others, *watch how they interact with siblings, with you, and with friends when they come over to your home*. If they seem to be aggressive, not getting along or don’t show empathy – these could also be *signs that they are bullying* others at school” (Ontario, 2013, p. 6, my emphasis). In this guide for parents, they are asked to think about how their household deals with problems and conflicts, and suggested to talk to their children about what bullying is.

in prevention was perhaps considered the most important since, “[u]ltimately, bullying prevention is about, and for, students” (Ontario, 2005b, p. 18). The Safe Schools Action Team argued: “Ideally, bullying prevention strategies will engage students to the point that they examine their own behaviour, and make changes to ensure they are not contributing to the problem” (Ontario, 2005b, p. 19). That is, students must be guided in “how to *take responsibility* for their own behaviour – and to *change it if necessary*” (Ontario, 2005b, p. 18, my emphasis). To do this, bullying prevention needed to be embedded into daily classroom teaching “wherever possible” (Ontario 2005b, p. 17). The Ministry advocated integrating bullying prevention in Ontario’s school curriculum, which meant combining *discipline* with *curriculum objectives*, thus indicating the prioritization of the bullying prevention strategy within Ontario education. It was suggested that four clear outcomes for students would result from a prevention-oriented education:

1. Recognize bullying: Students should be able to identify the various forms/types of bullying and practise recognizing it; understand the role of unequal power in bullying; understand the role of the bystander in both prevention and in the escalation of bullying; understand the impact of bullying on the bystander, the student who is bullying, and the student being bullied.
2. Report incidents confidently: Students should know the difference between reporting and tattling/ratting; know the school procedures related to reporting incidents, and how they will be supported during and after the investigation; understand the role of the bystander in reporting; practise reporting incidents both as a bystander and as someone who has been bullied; and demonstrate reporting skills (i.e., clear communication, naming the type of bullying, etc.)
3. Respond to incidents safely: Students should know when it is safe and unsafe to respond to bullying incidents; demonstrate assertive and positive response skills related to bullying, including refusal skills; practise supporting a friend who has been bullied; demonstrate skills related to joining groups and making friends; practise delay and negotiation skills; practise a self-talk; be able to identify an adult in the school who will provide support; and participate in role play activities designed to improve the reporting and intervention skills of bystanders.
4. Prevent bullying from happening: Students should demonstrate healthy relationship skills such as negotiation, assertive refusal, delay, problem solving, controlling behaviour and emotions, establishing and maintaining friendships, etc.; have the skills and confidence to resolve conflict in a non-violent way; be able to communicate their role and responsibility in creating and maintaining a

respectful, caring school environment; understand the negative impact bullying has on the culture of a school; be motivated to intervene when bullying happens; recognize the early warning signs for bullying, and have the skills to prevent bullying from happening; know how to get adult assistance to prevent bullying; and understand the important role peers have in prevention. (Ontario, 2005b, pp. 19-20)

A component of character development, bullying prevention, and consequently *student safety*, became a responsibility of students. Bullying prevention and the establishment of a safe school community thus required developing a competence within each student to prevent problematic behaviour, which meant controlling their own behaviour and that of their peers. Importantly, this capacity was conceptualized as the result of students being *extensively skilled*. Like service learning, bullying prevention was also presented as a program that provides students with ‘tools’ and ‘skills’ valuable for adult life as responsible citizens.

The Ministry of Education promoted the notion of appointing some students as ‘peacekeepers’ who would monitor their peers’ behaviours. Indeed one school that developed and implemented the practice of peacekeeping won the 2010-2011 “Premier’s Safe Schools Award.”³⁹ Consider the dialogue of a promotional video which the Ministry produced and uploaded to its webpage, entitled ‘School Peacekeepers: Keeping a lookout for Bullies’:

Cameron [student]: Hi. My name is Cameron. I am 10 years old. I go to Edenbrook Hill Public School in Brampton and I’m a peacekeeper. Peacekeepers are *peer mediators*.

Isaiah [student]: What we do is we help the grade one and two students solve their problems and issues. I feel that I’m really helping ...

Barb Anderson [teacher]: It’s like *their first job*. *They’re signing a contract* agreeing that they’re going to be a peacekeeper. So you look at peacekeepers and you know that’s a person I can trust. That’s a person I can go to for help.

...

³⁹ The award is meant to recognize excellence and innovation in certain schools as it pertains to producing a safe school environment. It is awarded to several schools each school year.

Anthony McLean [speaker]: The *students have to own this stuff*. It can't just come from grown-ups telling them what to do. So when you have student ambassadors or peacekeepers like at this school, *that really empowers students*. (Ontario, 2012o, "School Peacekeepers", my emphasis)

We see here that the position of 'peacekeeper' was conceptualized as an opportunity for some students to take on more responsibility and employ the skills they learn. Importantly, this position was also understood as essentially offering students *employment experience*. This effort to 'rationalize childhood', paraphrasing Sears (2003), through empowering students by way of 'social-skilling' is a reflection of the "enterprise education" (Peters, 2001) that is aligned with the 'enterprise culture's' values of independence and self-reliance (see Chapter One).

One of the many 'skills' involved in taking responsibility over bullying, as quoted at length above, was the 'skill to join groups and make friends'. The promotion of this skill was pursued directly through Bill 13 in its focus on positive and healthy relationships. As Minister of Education Laurel Broten suggested, Ontario education had done much work in the "three Rs" of schooling (i.e., reading, writing and arithmetic), but more work was needed "with respect to the fourth R, that of relationships" (Ontario, 2011b, p. 411). It was argued that more funding was needed for anti-bullying programs, and that we consider "the lack of *social-skill-building opportunities* in a curriculum that has become increasingly focused on narrow EQAO⁴⁰ results" (Teresa Armstrong, MPP, in Ontario, 2012d, p. 1457, my emphasis; see also Liz Sandals, in Ontario, 2007f; Wynne, in Ontario, 2007g). MPP Michael Prue also stressed "social and emotional development" as more important than EQAO testing, suggesting that the money and time spent on standardized testing be reallocated "where it

⁴⁰ "EQAO" refers to the Education Quality and Accountability Office, which is the agency in charge of research concerning the 'quality' of Ontario education through developing, administering, and evaluating standardized testing for students.

will actually do some good” (Ontario, 2012i, p. 2706; see also Ontario, 2012n, pp. 195-196). In standing committee for Bill 13, the president of the Ontario Principals’ Council recommended, among other things, that “bullying prevention and acquiring social skills” be a priority and embedded in the curriculum (Ontario, 2012L, p. SP-79). Doing so, according to Broten, would no doubt “have a positive influence on our communities at large” (Ontario, 2011b, p. 411).

Such a responsabilization strategy also promotes and naturalizes the notion of prudentialism (O’Malley, 1992; Peters, 2005), as it seeks to compel students to make decisions concerning personal wellbeing. Bill 13 made it a legal requirement for schools to support students who want to establish activities and organizations aimed at promoting a safe and inclusive learning environment, including gender equity, anti-racism, respect for people with disabilities, and all sexual orientations and gender identities (see Ontario, 2012a, p. 9). These student-led organizations were not solely intended to serve purposes of raising awareness, but also as mechanisms of protection from harm. Peter Tabuns described these groups as “a place where kids who are facing common problems get together to try to solve them” (Ontario, 2012k, p. SP-54). “Allowing students in schools to set up *support networks* gives them the *security of being together* and reduces the isolation that we all know can be, literally, deadly” (Peter Tabuns, MPP, in Ontario, 2012b, p. 1279, my emphasis). It was argued, particularly in terms of those groups for respecting and understanding all sexual orientations and gender identities, that they offered students *protective communities* within schools. Advocating in favour of the option to use the name “Gay-Straight Alliance” (GSA) to refer to such organizations if chosen by students,⁴¹ MPP Cheri DiNovo argued that “at

⁴¹ It might be noted that much debate for Bill 13 surrounded this topic, particularly in standing committee. Many religious delegations (though not all) argued against permitting students the use of “Gay-Straight

risk” students “are *not as protected unless they see themselves reflected in the name of their support group* ... To go back to point number one, *they save lives*” (Ontario, 2012i, p. 2709, my emphasis). In standing committee, she commented, “What it [Bill 13] does, and what we hope to do, what I hope to do, is to give children ... the ability to basically *protect themselves and to build support for themselves*, whoever they may be, however they may be bullied” (Ontario, 2012j, p. SP-50, my emphasis). One high school student affirmed that student-led organizations (in this particular case, a GSA) contribute to the prevention and awareness raising efforts of the safe schools initiative, but added that they go beyond this. Indeed, this student’s GSA was considered “a place where students come if they feel threatened. ... GSAs are essential to providing this community to students ... mak[ing] our schools safer places” (Chris Imrie, in Ontario, 2012L, p. SP-111; see also, Ontario, 2012m, p. SP-131).

Thus, the skills needed to prevent bullying (and hence, ensure one’s safety) were tied directly to the importance of and responsibilities surrounding community. Supportive networking was a skill for students to resolve their individual problems, while at the same time empowering students to act in their own interests without looking to teachers or principals for assistance. As such, in advocating for an approach of developing connections and forming student-led organizations, the Ministry of Education was employing a ‘strategy of empowerment’ (see Cruikshank, 1993, 1999) that would be effective beyond the school. “Empowerment strategies,” according to the Safe@School project,⁴² “enable people to develop skills, especially when they provide resources and opportunities that develop the

Alliance” as the name would counter religious beliefs, especially in Catholic schools. Some civil delegations argued against using the name for a variety of reasons. Regardless, the bill was passed as law, and schools are obligated to allow student-led GSAs, if students choose to use it.

⁴² The Safe@School project is a collaborative initiative between the Centre ontarien de prevention des agressions (COPA) and the Ontario Teachers’ Federation (OTF), funded entirely by the Ontario Ministry of Education.

capacity for autonomous action and decision-making” (Safe@School, 2013, “Power”). The notion of the protective community that student-led organizations embodied thus sought to promote and stimulate individual responsibility for safety and well-being. As the

Safe@School project put it:

This engenders greater personal power enabling individuals to *make choices and take action in their own interest*. Individual empowerment is connected to greater collective power when those *individuals become fully engaged and active citizens*. ... Activities initiated, organized and implemented by children and youth with respectful adult support help them develop leadership abilities. They learn *they do not need to be dependant* upon an adult or upon any other group in a position of power *to make decisions or take initiative and action in their lives*. (Safe@School, 2013, “Power”, my emphasis)

Clearly, dependency was suggested to be a condition of insecurity. The supportive, protective network was one component of the program to develop students’ skillsets for life during *and* beyond school (and another way of conceptualizing bullying prevention as constitutive of character development). It would provide an immediate sense of safety for students and at the same time develop an acceptance of responsibility for individual and communal well-being. The supportive, protective network promotes the concept of community as a resolution to problems faced by individuals (see Bauman, 2001b; Garland, 2001; Rose, 1996).

This section has analyzed the construction of what Foucault (1995) might term the “positive pole” (p. 180) of the distribution of students in Ontario’s reconfigured disciplinary regime. As the categories ‘bully’ and ‘victim’ constituted positions toward the “negative pole,” an ideal category of student needed to be constructed, which was done essentially by instrumentalizing the category of ‘witness’ for implementing a bullying prevention strategy. In other words, although the witness was considered potentially disruptive to the progressive disciplinary regime, it was also productive in the sense that it extended the disciplinary

project's reach by necessitating a preventative education that operates to produce neoliberal subjects. Thus, we can see that bullying prevention imposes two instruments of power that Foucault identifies as surveillance and normalization. It produces and disseminates knowledge about bullying and positive behaviours, which expands the surveillance of students by encouraging students to continuously examine their own behaviour, as well as their peers' behaviours. This operates with normalization, as the bullying prevention strategy creates an ideal student, conducting oneself according to a norm of behaviour, to which students must adhere. In effect, these processes combine so that student behaviour is always subject to examination, which allows categorization and potential (corrective) punishment. As we have seen, the ideal student was constructed according to values and principles characteristic of the neoliberal subject; that is, individualized, accepting of increased responsibility, enterprising, empowered, community-oriented, and prudent.

As I discussed in Chapter Three, Foucault (2003) suggests that the norm is both disciplinary and regulatory: "The norm is something that can be applied to both a body one wishes to discipline and a population one wishes to regularize" (p. 253). Following this, we can think of the interconnection forged by the Ontario Ministry of Education and Ontario policymakers between progressive discipline, character/citizenship development, and bullying prevention as formulating both a *disciplinary project* as well as a *governmental project*. Thus, in what follows, I demonstrate the way these developments in student discipline reconfigure the educational field to operate as a mechanism of governance in contemporary neoliberal society. I suggest that education policy is concerned with public safety and security in that educational capital, in its most basic (but necessary) form, makes successful integration into other markets possible. That is, because secondary education is understood as fundamental to securing paid employment in a capitalist society, those lacking

basic educational capital are considered, at best, an economic burden on society, or at worst, a criminal danger to the public. However, the reformation was not simply a matter of credentialing more students; rather, the form and content of education also needed to be rethought. The reorganization of the disciplinary regime in Ontario schools, which overlaps significantly with the curriculum and educational experience, aims at better controlling behaviour and preventing misbehaviour well beyond the school career. By keeping youth in school and thus credentialing more students with an education that is responsive to the needs of individuals, workplaces, and communities, education policy reforms in Ontario demonstrate a concern for protecting the public from the insecurity associated with unemployment, inactivity, and the inability to self-regulate.

Bullying, Regulation, and Education as a Security Apparatus

Following the work in Chapter Three and the discussion above, ‘bullying’ was constructed in a way that set up in Ontario education a “regulatory project” (Hunt, 1993, p. 320), or perhaps a “programme of government” (Rose & Miller, 1992, p. 181), which involves several elements. Following Hunt’s (1993) model, the ‘object of regulation’ was the problem of ‘bullying’ in schools. Students, teachers, and parents were designated as ‘regulatory agents’. That is to say, these agents were “charged” with the “collection and recording of information, inspection, surveillance, reporting, initiation of enforcement action, and a host of other activities” (Hunt, 1993, p. 316) concerning the object of regulation, bullying. ‘Safety audits’ and School Climate Surveys produced (and will continue to produce) ‘regulatory knowledge’ that served two purposes: on the one hand, creating and constituting the object of regulation; and on the other hand, to determine the effectiveness of the policies as well as ways to improve the regulatory strategy. The policies’ ‘stated

objective’ posits keeping students safe in order to provide more students with an appropriate education. The capacity for successful citizenship and adulthood – or conversely, the incapacity for citizenship and hence live a “cold, brutal life,” as one Member of Provincial Parliament put it – is the stipulated ‘set of consequences’ for this regulatory strategy.

The progressive disciplinary regime and bullying prevention strategy, as a program of regulation, concerns the ‘educational capital’ (Frauley, 2012; Bourdieu, 1986) students acquire, and hence the ‘habitus’ (Bourdieu, 1973) they develop. As the habitus is a structured structure that guides agents’ (i.e., students’) thoughts, perceptions, and actions within the field(s) in which it is produced and will operate, I suggest that policy documents from the Ontario Ministry of Education put forward a conception of the institution of education as a ‘security apparatus’ (Foucault, 1991). In promoting the individualization of responsibility for matters of personal safety and well-being, the logics of enterprise and prudentialism, and the importance of community and partnering (see Cruikshank, 1993, 1999; Lerner, 2000; O’Malley, 1992, 1996a,b; Peters, 2005; Rose, 1992, 1996; Sears, 1999; Walters, 1997), the educational field operates as part of a ‘biopolitical’ (Foucault, 1990, 2003) project to produce and regulate a population of lean, active citizens that can integrate within society by way of smoothly making the transition from the school into other markets. In this sense, education was ‘governmentalized’ (Foucault, 1991) according to neoliberal modes of governing the population. It was thought that this disciplinary and regulatory project surrounding ‘bullying’ in schools attached to basic educational capital an enhanced autonomy⁴³ for students (via the habitus), which would facilitate this population’s integration within society. In this way, as I

⁴³ The term ‘autonomous’ seems best for describing the sort of subjects Ontario education aims to produce, as it encompasses all of the attributes sought: acceptance of individual responsibility, self-interested, independent, enterprising, empowered, etc.

will argue, education policies were deployed in a way to operate more as public safety policies, concerned with governing social (in)security and public tranquility.

As I alluded to in discussing the origins of the legislation, problems of social order were traced to disciplinary issues in Ontario schools. Before the legislation, school disciplinary practices, with emphasis on suspending/expelling misbehaving students, were seen as producing problems of social disorder and even crime in several ways: forced out of school while serving their punishment, students would develop bad habits while ‘on the streets’ or ‘in the malls’ with nothing productive to do; bullies could teach their problematic behaviour to other students, and would go on to be future lawbreakers; and, bullied students and dropouts, lacking an education, would likely be dependent upon state assistance and therefore economically unproductive.

Thus, schooling was seen as involved in what Spitzer (1975) terms ‘the production of deviance’ and ‘problem populations’ that pose a threat to capitalist social relations of production. The institution of education, then, was reoriented to control and regulate students as a ‘problem population’ posing a threat as “social junk” (Spitzer, 1975, p. 645), as it has been shown that anti-social behaviour, specifically in the form of *bullying*, was thought to produce *damaged* subjects (i.e., bullies and victims) that fail to participate in productive roles. The notion of schools producing problem populations of social junk due to bullying was not considered a “passive” threat and thus required a level of intervention beyond mere “containment” (see Spitzer, 1975, p. 645). This conflicts with what Giroux (2003, 2008) has argued in reference to American schools employing containment and warehousing strategies in order to segregate particular groups of students from the population and make the eventual transfer into prisons. Rather, the regulatory project emphasized ‘preventive-integrative’

controls (see Spitzer, 1975, p. 648) in that producing a population of autonomous subjects could govern social insecurity in a distinctly neoliberal way.

This aim to produce autonomous subjects involved a human capital-influenced conception of education among policymakers. Throughout the debates surrounding Bill 212 and Bill 13, stakeholders expressed concern over the future prosperity of the province of Ontario as a result of the (perceived) increasing failure of the education system to produce the sort of graduates prepared for citizenship and life in contemporary (neoliberal) society. Security was thus conceptualized in terms of *individual* economic productivity and sufficiency, which would in turn promise *social* security and order. Education was understood as a crucial element in making individuals economically self-sufficient, as illustrated in the legislation's concern with enhancing the safety *preconditions* for academic excellence which is thought to ensure successful integration into markets. As the Safe Schools Action Team put it, creating a safe school environment would permit the Ontario government to achieve its objective of ensuring its schools "prepare all students for success in their destination of choice, whether a work placement, apprenticeship, college or university" (Ontario, 2006a, p. 4). Acquisition of basic educational capital, then, would necessarily lead to successful market integration. Hence education promotes market dependence, as this regulatory project in Ontario education serves to extend 'market discipline' (Sears, 1999, 2003).

The orientation of education towards the market is served by a vocationalist view of education (Sears, 2003, p. 78). Progressive discipline and the bullying prevention strategy can be regarded as operating along these lines. Progressive discipline mandates alternative programming for responding to misbehaviour, which involves career counseling and volunteer 'opportunities', to help those students 'get back on track'. As well, and perhaps

more importantly, the ‘pedagogy of bullying’, with its lessons of character/citizenship development, was promoted as providing all students with *skills* (as in ‘social skills’) for future employment necessary to succeed in a global economy. In this way, students are subjected to labour discipline, as schooling is increasingly concerned with developing competencies which are defined as desirable by employers (Sears, 2003, p. 79). However, as I have discussed, despite the human capital-influenced rhetoric surrounding policy reformations, education does not simply provide skills training, but rather aims to form within students a “lean ethos” (Sears, 2003, p. 81; Sears 1999). This is the ‘cultural side’ of the lean disciplinary regime, elaborated by Sears (see my discussion in Chapter One), which seeks to cultivate particular attitudes. For my purposes, then, we can take the project of regulation surrounding bullying in Ontario as part of the “new vocationalism” developing “new subjectivities” aligned with market demands (Sears, 2000, p. 153; Sears, 2003, p. 73), or what Bourdieu (1973) would term the production of a ‘habitus’ aligned initially with the educational field but ultimately with the enterprise culture.

The habitus is further aligned with the enterprise culture through bullying prevention’s emphasis on student empowerment and responsibility for matters of personal well-being within the school environment. This, I have suggested, disciplines students to adhere to the norms of individualization, self-reliance, and partnering or networking. Although not explicitly linked to market discipline, the strategy of community-building corresponds with the post-social political trend of activating smaller units of governance (see Chapter One; O’Malley, 1996a; Rose, 1996). The promotion of student-led groups as ‘protective communities’ for students who feel threatened at school (from being bullied for a variety of reasons) normalizes the notion that students develop as autonomous subjects. Community-building trains students to act as active, lean citizens (Sears, 1999; Walters,

1999) and enterprising selves (Rose, 1992, 1996). Unlike other ‘skills’ previously discussed, which aims to ensure the economic *productivity* of students by way of being active and enterprising, the strategy of community-building functions in order to ensure that students refrain from *unproductiveness*. That is, the supposed outcome of community-building is the empowerment of students in order to ensure they are not economically unproductive in that they can manage risks or threats to one’s safety independently, or in collaboration with others with similar interests. This strategy is guided by and concerns the logic of prudentialism in that it throws “upon the individual the responsibility for managing risk” (O’Malley, 1996b, p. 197; see also Peters, 2001, p. 68). In turn, community-building positions the school to operate as a field in which students are empowered to take on responsibility for their well-being by developing enterprising and networking skills, and thus reorients the institution as a post-social mechanism of governance.

Thus far, we have seen how Bills 212 and 13 reoriented the educational field to operate as a site and mechanism of governance specifically in terms of its concern with transitioning students from the school into markets (i.e., labour, higher education, consumer) by developing within students a neoliberal habitus. However, there is also a link between education and crime control here. The epilogue of this chapter illustrates an explicit link forged between education and criminality, making the simple, human capital-ist argument that if more individuals received an education (in this equation, operating as a ‘control’), crime would be diminished. The regulatory project that I am concerned with, however, goes beyond the mere credentialing of more youths. It concerns the disciplining of students according to the norms of social, economic, and political life in contemporary neoliberal society in order to regulate and govern a population of autonomous subjects. And in this regard, the disciplinary-regulatory project of bullying in Ontario education may be

considered what Garland (2001) terms an ‘adaptive strategy of responsabilization’ (pp. 113-127). That is, the education field was not only aligned with labour market demands, but also with practices of crime control.

Indeed, from the very outset of the legislation, in announcing the establishment of the Safe Schools Action Team to examine school safety (see above), the Ministry of Education was engaged in a collaborative effort with the Ministry of Community Safety and Correctional Services. Collaborating with an official state agency of criminal justice for rethinking school practices reflects what Simon (2007) sees as “the triumph of crime over other agendas for reimagining schools” (p. 216).⁴⁴ Simon (2007) points to the way schools ‘define deviance *up*’, as I have suggested in Chapter Two, in a way that reorients the governance of education to deal with problems of which the criminal justice system has absolved itself by ‘defining deviance *down*’ (Garland, 2001). From the policies, ‘bullying’, which Simon (2007) briefly touches on, came to be defined as deviance requiring a response (as a new infringement under the provincial *Code of Conduct*), in effect ‘defining deviance *up*’ – also reflecting an instance of ‘deviance production’ (Spitzer, 1975). No longer was bullying to be considered, as it had been, a regular “part of growing up” (Ontario, 2005b, p. 11; Ontario 2013, p. 3).

By defining deviance up, Ontario education was reoriented in a way that could contribute to alleviating the state’s crime control predicament (Garland, 2001; see also Chapter One), whether by dealing with problems that had become the police’s duty under the Conservative’s zero-tolerance approach or by preventing potential problems of assault, harassment, theft, and so on. Indeed, we can see that it was recognized that school actors

⁴⁴ This “triumph of crime,” I would suggest, is only *partial*, as I have identified in this analysis a similar “triumph” of markets in reimagining education (see also Chapter Two).

“have a responsibility in this regard” (Garland, 2001, p. 126) in MPP Rosario Marchese’s comment that teachers must not only teach but also “help to deal with social problems”:

I know it’s a burden on the system. I know that teachers are not qualified social workers or psychologists. That’s not their job. I understand that. Unfortunately, *the job of a teacher today has been expanded* to include other skills. You’ve got to be a social worker from time to time, *you’ve got to be a policeman or policewoman from time to time* ... Today that’s part of the job. (Ontario, 2007d, my emphasis)

This expansion of the teacher’s role points to this legislation’s aim in making problems visible in schools in order to encourage school authorities to “exert their informal power of social control” (Garland, 2001, p. 126). As a document outlining the “local police/school board protocol” put it, one way of making schools safer is to provide “opportunities for staff to acquire the knowledge, skills, *and attitudes* necessary to maintain a school environment in which conflict and differences can be addressed in a manner characterized by respect and civility,” and in this regard, police agencies are “vital in supporting and enhancing the efforts of schools and their communities to be safe places in which to learn and work” (Ontario, 2011c, p. 3, my emphasis).

Aligning education with crime control through defining deviance up within the school did not only affect the role of teachers, though. In a similar vein, bullying operated as a mode of regulating the student population in a way that further aligned these fields. The prudentialist strategy of community-building discussed above is central here as well, as it compels students to accept responsibility for one’s safety. As I have outlined above, students are encouraged to view their school as a community in need of ‘policing’, which they had responsibility of partaking in (via surveillance and reporting). On top of this, through student-led organizations, students are also encouraged to develop their own communities, or networks, for protecting oneself against threats of bullying. This practice, it was thought, would empower students in order not to depend on adults or authoritative figures to take

action against their problems. Thus, ‘community’ would be promoted and naturalized as a means of protecting oneself against immediate threats of bullying, but also threats one may encounter later in life. Following this, the institution of education serves a governmental function in that education policies seek to promote, facilitate, and enforce autonomy, thus reorganizing education’s disciplinary function to operate similarly to what Garland (1996, 2001) terms an adaptive strategy.

A caveat is necessary before completing this analysis, as I have focused on the rational choice, human capital-inspired developments in disciplinary strategies as a result of these education policies. Just as Garland (2001) has observed a tendency to also respond to crime in a reactive manner (as in ‘strategies of denial’; see Chapter Two), as opposed to solely *adapting*, we can trace, to some degree, a reactive aspect in this legislation. As we have seen, although suspensions and expulsions were not eliminated, the policies made alternative programming for those students mandatory. In fact, the legislation added more behaviours (via ‘bullying’) for which students could be suspended. Also, the idea of progressive discipline refers, in part, to “*progressively more serious* consequences for repeated or more serious inappropriate behaviour” (Ontario, 2012a, p. 7, my emphasis).⁴⁵ Furthermore, in spite of these policies’ stated aim to promote and encourage adhering to normative behaviours, the education system in Ontario sustained a close alignment with police agencies, not merely for preventing problems in schools, but also for *responding* to misbehaviour. As I have pointed out, in striving to enhance school safety in Ontario, part of the strategy involved the notion of ‘school-police partnerships’ through establishing a “local

⁴⁵ It is in this way that some parliamentarians doubted that Bill 212 could eliminate the harsh measures of the previous government’s *Safe Schools Act* (see above, footnote 33). According to New Democratic Party MPP Marchese’s observation of the Liberal Party’s paradox in repealing zero tolerance policies yet at the same time getting tough on bullying, he argued: “The Liberals do not want to be seen as not being tough on crime. They want to be at par with the Tories in this regard. They want to be seen, like the Tories, as being tough on crime” (Ontario, 2007d).

police/school board protocol” (Ontario, 2011c, p. 5). Although such a partnership would, in part, set up the role and mandate of police services as a preventative force in schools, it also set up occurrences and incidences that require reporting to police, which may result in a police *investigation* and/or *response* (Ontario, 2011c, p. 5).⁴⁶ In effect, some students could be investigated and punished as delinquents or criminals due to misbehaving. Thus, we can see here that schools and police agencies preserved a capacity to respond to some behaviours in a reactive, punitive way.

The preservation of a harsh disciplinary component should not be surprising if we recall Sears’ (1999) observation that coercive discipline buttresses market discipline in the lean state. That is to say, the remaining possibility of harsh punishment for misbehaving students might be considered a means of “reinforc[ing] market discipline [in schools--KG] by visibly suppressing forms of ‘deviant’ conduct” (Sears, 1999, p. 105; Sears, 2003) which threaten the capacity of other students to acquire basic educational capital.⁴⁷ Although contradictory, both strategies can work in tandem in a way that students are regulated and governed according to both neoliberal and neoconservative rationalities. That is, the progressive(ly) (harsh) disciplinary regime and the school/police partnership strategies operate as a coercive dynamic to the project of regulation that promotes self-control and responsibility.

⁴⁶ Incidents requiring police notification include: “all deaths; physical assault causing bodily harm requiring medical attention; sexual assault; robbery; criminal harassment; relationship-based violence; possessing a weapon, including possessing a firearm; using a weapon to cause or to threaten bodily harm to another person; trafficking in weapons or in illegal drugs; possessing an illegal drug; hate and/or bias-motivated occurrences; gang-related occurrences; and extortion” (Ontario, 2011c, p. 8). Using their discretion, school principals may also need to report to police for the following: “giving alcohol to a minor; being under the influence of alcohol or illegal drugs; threats of serious physical injury, including threats made on social networking sites or through instant messaging, text messaging, e-mail, and so on; incidents of vandalism; and trespassing incidents” (Ontario, 2011c, p. 8).

⁴⁷ Though discussing student supervision at school, MPP Frank Klees’ comment alludes to the concern for students’ capacity to learn: “we need to ensure safety for those innocent bystanders, those students who are well behaved, who *want to study* and who come to that school or that classroom with *the intention of giving it 100%*. What about those students?” (Ontario, 2007c, my emphasis)

Conclusion

My discussion of education policy reformation, guided by my analytic framework developed throughout the previous chapters, has identified and demonstrated a significant development in how education is conceptualized and represented in the province of Ontario. I began by outlining the origins of the legislation, identifying the concern among policymakers over the negative outcomes of the previous Progressive Conservative government's 'zero tolerance' regime as stimulating efforts from the Liberal government and Ontario legislature that would result in the implementation of Bill 212 and later Bill 13. The initial efforts, manifested in the Safe Schools Action Team and their provincial school safety audit, resulted in the 'discovery of bullying', which connected school safety to public safety in various ways. I have suggested that the bullying problem and its central categories, the bully, the victim, and the witness, made 'school safety' into a conceivable and governable entity through reorganizing the disciplinary regime in Ontario schools as one that is 'progressive'.

'Progressive discipline' would have practical implications for schooling, as misbehaving students would now be punished according to a 'continuum of discipline' that would (it was thought, at least) reduce suspensions and expulsions. Further, it would provide for those students who were suspended/expelled alternative programming to 'correct' their behaviour, rather than simply excluding them from school. Importantly, the 'victim' was also to be subjected to special programming in order to protect against future emotional/behavioural problems. As we have seen, the figure of the 'witness' necessitated a prevention strategy, which resulted in organizing the curriculum to involve emotional training and social skilling. This disciplinary project would strive to (re)produce a particular

category of student that would be prepared for lean citizenship, or what Foucault (1995) might term “docile” (p. 138).

Thus, the Ministry of Education did not seek to develop its role in governing social problems of (future) criminality and state dependence by merely criminalizing and containing youth populations, though this element persists to some degree. Instead, the regulatory project sought to operate through education’s disciplinary and pedagogical capacity to develop within students a ‘habitus’ aligned with the norms of social, political, and economic life in a lean state/active society. That is, bullying effectively reconfigured the basic educational capital Ontario students could acquire, so that it properly prepared them for their futures. This meant aligning educational capital with market demands so that students can make the transition from the educational field into other fields, necessary for social order within a capitalist society, thus forming the basis of education’s operation as a security apparatus. What this means is that the institution of education is reoriented as a central mechanism of *post-social* governance by way of education policies that concern producing and normalizing a population of lean, active, responsible, empowered, prudent subjects; in a word, *autonomous*, or *neoliberal*, subjects. By aiming to produce graduates endowed with basic educational capital that is appropriate for a contemporary life, education policies, at least as they pertain to student conduct and discipline, might be understood as operating as public safety policies.

There are some problems with this governmental conceptualization and understanding of education worth considering. Inspired by human capital theory, these policies aim to govern social order by providing students with the basic educational capital as if it will undoubtedly promise security. This logic is skewed if we consider the economic and political context in which these policies are being implemented: a capitalist market

economy within a lean state. If we follow the argument against human capital theory in Chapter Two (e.g., Bowles & Gintis, 1975, 1976; Bourdieu, 1986; Postman, 1996), in such a context, educational capital (of any kind) cannot eliminate social problems of crime and state dependency. This is because it is one individualized solution to problems that are inherently social. Further, the creeping of a pedagogy of bullying into the curriculum via bullying prevention, character development, and citizenship development leads one to question the viability of a strategy that seeks to enhance academic success through shifting attention to promoting student responsibility for increasing the perceived safety of school environments.

Although it would perhaps be rash to suggest these policies are bound to *fail*, it is not inaccurate to suggest they will be *incomplete* attempts to govern social order, as well as school safety. This should not be surprising, as Hunt and Wickham (1994) remind us that any instance or project of governance will fall short of “complete control or management,” involving attempts followed by other attempts (p. 79; see also Rose & Miller, 1992). Indeed, Foucault puts forward a similar argument in relation to the institution of the prison:

For a century and a half the prison had always been offered as its own remedy: the reactivation of the penitentiary techniques as the only means of overcoming their perpetual failure; the realization of the corrective project as the only method of overcoming the impossibility of implementing it. (Foucault, 1995, p. 268)

This ‘attempt at control–incompleteness cycle’ (Hunt & Wickham, 1994, p. 83) is reflected in the fact that the Progressive Conservative Party’s *Safe Schools Act* in 2000 could not produce a safe school environment through its harsh zero tolerance approach, which was followed up by the Liberal Party’s attempt in Bill 212’s implementing ‘progressive discipline’, and followed by another attempt in Bill 13’s increased focus on bullying prevention and protective communities. Following this chronology, the school’s status is not

once questioned, but rather reinforced: the education system continues to (re)produce problems (in this analysis, 'bullying') that only it can *attempt* to control and manage.

Conclusion

This thesis has sought to explore education criminologically in order to develop another (novel) understanding of education in contemporary society. Unlike previous criminological work concerning education, I have neither described the school as a promising site for the application of crime prevention strategies nor fought for prisoners' rights for educational opportunities while incarcerated. Rather, I have sought to broaden the scope of criminology by taking an 'education as governance' approach (see Frauley, 2012), thus making education a legitimate object of inquiry; not strictly for its 'crime-ological' (see Shearing, 1989) relevance, but in terms of its relevance to social ordering. Thus, this project has taken the form of *a critical criminology of education*, aiming to deepen our understanding of education as a site and mechanism of governance.

In offering such a criminology, I situated education as a central institution of governance in Western capitalist society first by outlining the outcomes of what has been described as 'the rise of neoliberalism'. From this, transformations in conceptions of citizenship and security have emerged that have implications for governing in what has been conceptualized as a post-social, lean state-active society (Garland, 2001; O'Malley, 1996a,b; Pearce & Snider, 1995; Rice & Prince, 2000; Sears, 1999; Teeple, 1995; Walters, 1997). I then considered the extant literature on education, which was organized around two overarching themes: the 'criminalization of schools' thesis and the 'neoliberalization' or 'marketization of schools' thesis. Both theses suggest different (but related) axes around which the purpose of the education system has been rethought, from which students are subjected to different forms of discipline. The features of the concepts of *discipline* and *governance*, and their articulation, were explained drawing mostly on Michel Foucault and

Pierre Bourdieu. These concepts provided an analytic framework through which to think about and make sense of education policies recently passed in Ontario, Canada.

The empirical analysis included policy documents published by the Ontario legislature, as well as publications from the Ontario Ministry of Education, all of which put forward a particular political conceptualization of education. From the analytical account that I offer concerning these policies guided by my analytic framework, I suggest that education policy increasingly concerns the governance of social insecurity, and operates more and more as public safety policy. Thus, the general implication for education as a site and mechanism of governance, given the neoliberal trends outlined throughout this thesis, involves the deployment of education as a ‘security apparatus’ (Foucault, 1991). This means that education works to produce, normalize (via ‘disciplinary power’) and regulate (via ‘governmental power’) a population of neoliberal, *autonomous* subjects that can transition smoothly into the lean state, thus serving economic and social control purposes. Indeed, the central purpose of education seems to be increasingly oriented toward the biopolitical concern of normalizing and regularizing populations of lean, active subjects that can access and navigate various markets to individually manage personal well-being. Schooling becomes a market of sorts in which the acquisition of basic educational capital is thought to prepare students for markets and thus positive living conditions.

As a critical criminology of education, this thesis is a contribution to an area that is highly under studied among criminologists. There is much work to be done to build a deeper criminological understanding of education that offers alternative accounts of this field. If we take education to be a legitimate object of criminological inquiry, we avail ourselves, as critical criminologists, of another field that can expand our understanding of the ‘criminal process’ and other modes of governing and regulating in contemporary society.

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