Looking Again at Discipline and Gender: Theoretical Concerns and Possibilities In the Study of Anti-Social Behaviour Initiatives

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This paper suggests that current theoretical approaches to the contemporary governance of anti-social behaviour have certain limits which may be overcome by emphasis on its gendered dimensions. It argues that the paradoxical relationship that women have with the state may prove a fruitful starting point. Third way ideologies recognise and respond to the vulnerabilities of the ordinary citizen. The governance at a distance that they practice means that the responsibility for reassuring citizens falls disproportionately on women who have had a historical role in managing the anxieties provoked by proximity. Yet women's acknowledged vulnerability means that this is an incoherent strategy.

Introduction

The phenomenon of anti-social behaviour and its place in the repertoire of New Labour's 'third way' programme has provoked extensive and thoughtful responses from academics interested in social policy. Much of the work derives from criminology/criminal law and focuses on questioning the efficacy of innovations or pointing out the extent to which they deviate from liberal norms (Ramsay, 2008). Of those responses that are concerned with theory, the greater proportion have emanated from those who seek to analyse developments from a governmentality perspective. Neither approach has prioritised gender, no doubt because neither criminology, criminal law nor governmentality are traditions which are known, other than at their radical edges, for an interest in gender. Nonetheless the work has been productive. John Flint for instance has elaborated upon the reconfiguration of governance noting the significance of the contemporary concern with anti-social behaviour as part of the emergence of what Rose characterises as a disciplinary 'ethopolitics' (Rose, 1999). This is

> (S)haped primarily through acting upon the identities of self and the invocation of desired self-conduct based around constructed moral norms of consumption. (Flint, 2003: 618)

Yet governmentality as a theoretical underpinning for the analysis of anti-social behaviour has its limitations as Mitchell Dean makes clear. It finds it difficult to resist a 'meta-narrative' of an ever-increasing network of social control and is insufficiently attentive both to the exercise of punitive sovereign power and to different experiences of everyday lived realities of contemporary government. Moreover there has been only limited investigation of the interrelationship between narratives of globalisation and the policies of

national governments. Dean notes the significance of a global and neo-liberal economic environment which results in domestic policies which prioritise the reform of

> those kinds of individual and institutional conduct that are considered likely to affect economic performance compared to that of the members of other national and even regional populations. (Dean, 2007: 127)

The conduct of the anti-social welfare recipient is, in such a climate, inevitably a focus of reforming projects for she is exceptional as 'both the raw material and the limit of policies and practices destined to produce a self-reflexive project of the self' (Dean, 2007:15). She epitomises 'those who are potentially capable of exercising liberal autonomy but who are yet to be trained in the habits and capacities to do so' (Dean, 2007:120) – not least because of her potential recalcitrance.

This paper responds to Dean's concerns about the limitations of governmentality by understanding the 'anti-social' welfare recipient as a significant example of quotidian exceptionalism, a local and mundane manifestation of a national articulation of global discourses. It seeks to disrupt governmentality's teleology by focusing upon gender which it suggests has been a significant and largely unremarked upon characteristic of the phenomenon of anti-social behaviour. Gender here is not limited to the gendered consequences of current welfare practices. Although these are undoubtedly significant, and social policy critique must take seriously Chunn and Gavigan's observation that the 'sweeping changes to social assistance, aptly characterized by some as a war on the poor, have a disproportionate impact on poor women' (Chunn and Gavigan, 2004: 220), there is more. Gender (along with other manifestations of difference) is implicated in the methods which 'divide populations in order that they might be subjected to different kinds of knowledge and different relations of power' (Dean, 2007:14), gender highlights the limits of the 'norm of a liberal governing through the self-governing or autonomous individual' (Dean, 2007: 15) and gender permeates the expectations of those who govern us and those who are governed.

The liberal critique from criminology and criminal law also demonstrates limitations. As Ramsay points out the work tends to assume that because anti-social behaviour initiatives deviate from liberal norms, it represents no more than 'unprincipled political opportunism' (Ramsay, 2008: 4). Yet this argument has failed to have any purchase with government, the judiciary or wider society. Ramsay suggests that this is because it 'fails to investigate in any depth the content of the underlying beliefs that these 'populist' measures do in reality draw on' (Ramsay, 2008: 4). My suggestion is that gender may have a useful function in enhancing the effectiveness of the liberal critique and in unravelling the underlying beliefs which legitimise the initiatives because its disruptiveness enables us to emphasise 'contingencies, instabilities and multivocalities' (O'Malley, 2001: 25) of what otherwise appears rational and irresistible. The paper starts by examining a central paradox in which women are seen as being vulnerable and in need of protection by the state and simultaneously held responsible for the failings of their children and in need of reformation by the state. The second section of the paper adds to this exploaration of women's relationship with the state by drawing on Ramsay's work explaining the valorisation of the vulnerability of the ordinary citizen. The paper then suggests taking a theoretical approach to the problem of anti-social behaviour which understands it as a

contemporary manifestation of the long-standing problem of proximity. This may enable the productive foregrounding of gender. It starts, however, by reflecting upon the puzzling silence about gender in work and anti-social behaviour

Gender and anti-social behaviour

To be fair, there has not been a total silence about gender and anti-social behaviour. At a relatively early stage in the development of legal tools, Nixon and Hunter pointed out that, within social rented housing, strategies to eliminate anti-social behaviour focused on possession proceedings as the most effective deterrent. Court action was, however, leading to the eviction of women who, whilst not responsible for anti-social behaviour themselves, were the single mothers of anti-social boys (see Nixon and Hunter, 2009). More recently, within the youth justice sphere, Holt has highlighted the ways in which gender

> is directly implicated in the organisation and shaping of the additional parenting responsibilities which come with parenting a child who is involved in the youth justice system. (Holt, 2009)

Her work focuses on the ways in 'which gender is played out as an *informal* disciplinary mechanism in the additional yet *hidden* discursive, emotional and behavioural practices which come with parenting a young offender' (Holt, 2009, emphasis in the original). Nonetheless. these authors share a concern about the lack of attention paid to gender when investigating the contemporary technologies of government which are being deployed in response to anti-social behaviour. In many ways the lack of attention is not surprising. Not only is feminist critical scholarship a marginal endeavour, the operation of gender works at the level of cultural common sense. Its very embeddedness makes it difficult to discern. So responses to suggestions that mothers are disproportionately held responsible for the failings of their children frequently assert that this is no more than an unfortunate side effect of a quite appropriate focus on responsible parenting.

However, I suggest that the complex way that gender is implicated within anti-social behaviour makes it particularly challenging for academics seeking to expose the authoritarian nature of government activity, whether from a liberal or a governmentality perspective. For gendered approaches require that an important paradox is acknowledged. Many women, particularly those who are vulnerable as a result of age, disability and or class have welcomed anti-social behaviour interventions. This is typified by the comment posted on Swindon Web following Tony Blair's visit to the Toothill estate in 2006 as part of a series of events which launched the Respect Agenda:

> People have got away with murder for too long and we've been powerless to stop it. Young people have a protection ring around them and you become frightened to report them – its your word against theirs. It starts with things like graffiti and spitting and before too long they're fighting in gangs, intimidating and mugging old people and even worse. The government should have done something a long time ago. (Swindon Web, 2006)

Positive responses to anti-social behaviour initiatives are not limited to those who may be considered to be its obvious beneficiaries. Research evidence indicates that parents who are required by the courts to attend parenting courses consider them to have been

successful (see Ghate and Ramella, 2002). Dillane *et al.* published positive evaluations of the Dundee Families Project (which placed families at risk of eviction on the grounds of anti-social behaviour under intensive surveillance and intervention with the aim of enabling them to sustain a social housing tenancy), which included positive reports from the parents subject to the rigours of the project (Dillane *et al.*, 2001). This finding was echoed by Nixon *et al.* (2006) in their interim report into a six other Intensive Family Support Projects (IFSPs), or Family Intervention Projects (FIPs) as such interventions are now generically known. Of the service users who felt able to comment on provision, a majority of those interviewed viewed the projects as overwhelmingly positive. Yet, as Nixon *et al.* demonstrate, it is women whose mothering practices are both targeted and stigmatised by the interventions.

> A clear gender bias was reflected in the sample of individuals referred to the projects. 78% of the adults were women, while slightly more than half (58%) of the children were male. Reflecting the high proportion of female adults in the sample, eight out of ten families were headed up by lone parent women. (Nixon *et al.*, 2006: 18)

My argument is that this paradox is in itself worth investigating as it may throw light on the character and contradictions of contemporary third way governance.

Discourses of vulnerability

Ramsay (2008) provides a useful theoretical starting point for such an investigation. His focus is on the current political valorisation of the vulnerability of ordinary citizens. This is exemplified by Blair's speech launching the Respect programme.

> we need a radical new approach if we are to restore the liberty of the law-abiding citizen. My view is very clear: their freedom to be safe from fear has to come first. (Blair, 2006)

What is important is the emphasis placed on a universal norm of vulnerability to fear. Ramsay points out that what he terms 'civil prevention orders' – the ASBO, the terrorism Control Order and the Risk of Sexual Harm Order – 'share a common substantive content – a liability for a failure to reassure' (Ramsay, 2008: 5). He then explains 'the protection of "vulnerable autonomy" as a norm at the heart of the three political theories with a preponderant influence in contemporary politics in the UK' (Ramsay, 2008: 5): the third way, communitarianism and neo-liberalism. He argues that the third way as articulated by Giddens recognises that contemporary society is marked 'by a new individualism in which self-fulfilment is the central object of people's lives' (Ramsay, 2008: 15). Ontological security is a pre-requisite for the achievement of self-fulfilment; this requires the co-operation of others as self-realisation is always vulnerable to the hostility or indifference of others' (Ramsay, 2008: 16). This requires the re-framing of the welfare state as a positive welfare society

> in which welfare is understood as a psychic rather than an economic concept. A positive welfare society is concerned to ensure social cohesion, which is to say cohesion between the different and diverse conditions of the psychic welfare of its self fulfilling subjects. (Ramsay, 2008: 16–17)

The liberal communitarianism of Etzioni, which also informs New Labour, is equally concerned with the vulnerability of individual autonomy. What Ramsay draws to our attention is that the vulnerability to fear, which is a consequence of contemporary society, is not limited to the *victims* of anti-social behaviour; 'communitarianism allows us also to see the lack of autonomy of the perpetrator, the person who causes fear and anxiety' (Ramsay, 2008: 16–17). This gives purpose to the overt imposition of obligations on those who threaten our security and provides some explanation for the gratitude with which women accept interventions from the state. They too are vulnerable. Empirical evidence of the complex, multi-layered reality of ASB is reflected in the finding of Nixon *et al.* (2006) that six out of ten families (60 per cent) working with IFSPs were reported to have been victims as well as 'perpetrators' of ASB.

Finally, and intriguingly, Ramsay suggests that Hayek, the inspiration for neo-liberal thought, can also be understood as an advocate for protecting intrinsically vulnerable individuals from the 'depredations of the market's impersonal forces' (Ramsay, 2008: 22). For Hayek social cohesion in a market society requires adhesion to traditional institutions and beliefs. However, as Ramsay makes clear, this was not something which was followed up by Conservative politicians, Margaret Thatcher or John Major, despite their talk of 'Victorian values or 'back to basics'. Indeed, he characterises the political programmes of Britain in the 1980s and 1990s as quite distinctively 'neo-liberalism without traditional values' (Ramsay, 2008: 22). Their omission provided an opportunity for the politics of New Labour. Providing the vulnerable citizen with the reassurance she requires was both philosophically coherent and provided one essential difference between the discredited politics of Thatcher and Major and the political promise of New Labour. The important conclusion that Ramsay reaches is that

> The central position of vulnerable autonomy in contemporary political and social theory suggests that the political invocation of vulnerability and its protection as a norm represents something more than merely cynical fear-mongering or a manipulative governmental technique deploying the contingently fashionable discourses of therapy. (Ramsay, 2008: 23)

The paradoxical response of those who are the targets of anti-social behaviour initiatives suggests that there is some authenticity in the re-framing of vulnerability to fear as a universal characteristic of citizenship.

However, Pavlich (2001) has alerted us to the complex blending or 'co-social' nature of governmental discourses. We should therefore acknowledge another persistent discourse of vulnerability, which, although no longer dominant, still has potency. Structural vulnerability was recognised by social welfare regimes as giving an entitlement to the protection of the state. This form of protection endures, albeit 'without its past privilege' (Pavlich, 2001: 4). Women, along with other categories of vulnerable citizens are still acknowledged as having a particular call on resources. However, this entitlement has always been conditional and problematic. As Wendy Brown points out for many women:

> the state's purview begins where man's ends, and there lies the rub for millions of poor women today, since these arrangements contain only two possibilities for women who cannot singlehandedly provide for themselves and their families. Either the state guarantees the rights of the man in their lives or the state is the man in their lives. The state stays outside the household

> door unless there is no man presiding over the home; at that point, if the state assumes the provider role, it also assumes as much about its access rights to a woman's space as any man could ever display. (Brown, 1995: 189)

So the paradox is not new, but re-formulated. The continuities are revealed for instance in Welshman's interesting research into the Brentwood Recuperation Centre for Mothers and Children which functioned roughly between 1943 and 1970. He points in particular to

> letters from the mothers (which) challenge the automatic assumption that the regimes of such institutions were always punitive and unpleasant. (Welshman, 2008: 505)

Awareness of women's paradoxical relationship with the state should inform analysis. It certainly casts a distinct light on the positive response of mothers supported – and constrained – by the IFSPs. These are women who suffer disproportionately from contemporary anxieties. Not only are they economically and socially excluded, there is evidence that they have suffered particularly from the exercise of male power. Significantly Nixon and Hunter point out that of the 256 families working with FIPs, 47 per cent of women 'either were suffering from a history of, or were currently subject to, intimate partner violence and/or intergenerational violence involving physical, mental or sexual abuse' (Nixon and Hunter, 2009: 125). It is this finding that alerts us to a third discourse of vulnerability, vulnerability as a technical category where expert diagnosis justifies additional resource allocation (see Carr and Hunter, 2008). This form of vulnerability has third way characteristics in that it is not antithetical to neo-liberalism because access to the category and the consequent call upon the state is strictly limited, yet it retains some claim to a welfare rationality. What is interesting about Nixon and Hunter's analysis is that they accept domestic violence as a technical category of vulnerability. However, in an effort to resist the stigmatisation of women by anti-social behaviour initiatives, they are seeking to expand that category to intergenerational violence in order to extract less-conditional resource allocation and some recognition from the state of their victimhood.

    The problem with the technicalisation of vulnerability is that it disguises the political nature of interventions. In other words, redefining some women as victims, who would otherwise be categorised as anti-social, mitigates the harshness and bias of the interventions. As Dean points out, it is an important task of analysis to re-politicise what has been rendered technical (Dean, 2007). Perhaps this is best demonstrated by a consideration of the non-molestation order which was a feminist inspired response to the problem of domestic violence. If it is understood simply as a technical device, then it can be suggested to be an important pre-cursor to the ASBO and the other civil prevention orders that Ramsay analyses. It too is granted in civil proceedings, on the basis of broad and vaguely defined conduct with terms which may include prohibitions and are deemed necessary to prevent future instances of the broad and vaguely defined conduct on which they are grounded, and (since 2007) breach of any of its terms is a criminal offence of strict liability. Importantly, however, the non-molestation order is political. The breach of liberal norms is justified because liberalism failed (and continues to fail) to protect women from male violence. It responds to a structural social problem. The political analysis also needs to be made in connection with anti-social behaviour initiatives. There is something fundamentally incoherent and indeed implausible about compelling those who are most

vulnerable to provide reassurance to the majority, particularly when the state's ability to do so has been eroded by the seismic shifts encapsulated in the notion of globalisation, and the means deployed focuses on a crucial component of these women's identity – their mothering skills.

Anti-social behaviour initiatives are not of course totally original. The valorisation of mothering as a means of exercising social control is a long-standing technique of the liberal state. It is at this point that I turn to consider the particular value that the foregrounding of gender by the theoretical concepts of proximity may add to our understanding of anti-social behaviour.

The problem of proximity

Once anti-social behaviour initiatives are understood as responses to the ontological insecurity of contemporary citizenship, the relevance of managing proximity is apparent. For instance, Nixon *et al.*'s research into IFSPs tells us that the four most frequent types of anti-social behaviour, which resulted in the referral of families, were ones which impacted upon the neighbourhood: youth nuisance, property damage, intimidation or bullying and neighbour disputes (Nixon *et al.*, 2006: 6). These projects aimed to facilitate the development of skills needed to manage proximity. This included ensuring that, 'families are able to sustain a positive lifestyle without being the cause of anti-social behaviour', and to 'increase community stability by enabling and supporting families to live peacefully and to fully participate in their communities' (Nixon *et al.*, 2006: 16). In other words, families were required to learn to live in an appropriately constrained way so as not to disrupt the neighbourhood.

Concern with proximity is long standing, but was particularly marked in the first half of the nineteenth century. Then, the urbanisation and industrialisation of Britain coincided with the destabilisation consequent upon the French revolution and by increasingly intense demands for an extension of the franchise. This generated a general and sustained unease that the transformation of Britain threatened national cohesion and security. The 'mob' of paupers personified the threat. The mob was different and its difference provoked fear. Pauperism was distinct from poverty – which, by that time, had become regarded as a natural and necessary, if unfortunate, consequence of Malthusian economics – it was much worse. Pauperism was about destitution and dependency, although as Procacci points out the threat it posed was undefined:

> images of pauperism put the stress principally on feelings of fluidity and indefiniteness, on the impression, at once massive and vague, conveyed by the city crowd, accounting for all its menacing character. (Procacci, 1991: 158–9)

Pauperised households were risky; they congregated together with the impoverished, putting their respectability at risk. Pauperism posed a dilemma for the simultaneously utilitarian and evangelical conscience of the Victorians.

> On the one hand, moral reform, for the majority of its mid-Victorian supporters, implied a commitment to the creation of a society of self-managing adult individuals ... On the other hand, the business of moral reform lay not merely with preaching the adult ideal but with devising effective strategies for achieving and preserving it. (Roberts, 2004: 235)

There is not space here to detail the necessarily complex and unstable resolution of this dilemma. However, for both evangelical and utilitarian thought the bourgeois family played a crucial role in establishing and maintaining respectable norms. The mother in particular was given responsibilities to ensure that her children were properly civilised (Donzelot, 1979). My claim is that contemporary concerns with anti-social behaviour can be traced from Victorian fears of the mob and their management of those fears by creating respectability as an aspiration for working classes. These links are important. The historical frame within which analysis of third way projects takes places shapes the conclusions in important ways, as Sites (2007) demonstrates in his analysis of resistance to neo-liberal programmes in the United States.

The reconfiguration of fears of pauperism into fears of anti-social behaviour can be discerned from Nixon *et al.*'s report. It is quite clear about the characteristics of the mothers referred to in the projects. They were failing to carry out their familial responsibilities and in particular to discipline their sons and other men in their lives. Family life was unconstrained; characterised by violence, including intergenerational violence, it spilled on to the street. The women appear undisciplined themselves; age old concerns about the fecundity of the poor are perhaps reflected in the composition of the families referred to the projects.

> On average there were at least two children per family, with one in five (22%) families consisting of four or more children including two families with eight children. (Nixon *et al.*, 2006: 18)

One further deviation from contemporary bourgeois norms is reflected in the age of the families involved in the projects. This 'ranged from 18 to 70, reflecting the non-traditional makeup of many families some of whom were headed by either very young or older extended members' (Nixon *et al.*, 2006: 18).

Approaching anti-social behaviour as a contemporary manifestation of the problem of proximity opens up new avenues for research. So, for instance, the role of women who are employed by the projects and their compliance and/or resistance to the government anti-social rhetoric is of interest. It resonates with the roles given to both middle-class and working-class women employed to teach housekeeping skills to the poor which was a feature of Victorian social projects. The methods deployed could also be put into historical context. So Welshman's research into Brentwood demonstrates that, immediately following the second world war, training for managing the problems of urban existence was provided by removing mothers from their homes. In contrast with the current provision of residential projects, where the families remain together and in similarly urban neighbourhoods, Brentwood provided a rural retreat. Such contrasts and continuities in the management of proximity are both fascinating and fruitful.

What is most important, however, is that proximity gives a further insight into the paradox of women and anti-social behaviour, as well as explaining the United Kingdom as the site for the emergence of anti-social behaviour initiatives. The cleavage between the respectable and the disreputable poor is deeply ingrained into British governmental projects to manage the working class. Women trained into respectable ways are inevitably going to be grateful for the opportunity provided to them to be socially reintegrated and find it difficult to resist its implications. Moreover, their acknowledgement of their need for training provides the first step of their rehabilitation.

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One final point: I suggest that understanding anti-social behaviour as a problem of proximity provides opportunities to connect to other contemporary investigations of the limits of liberalism. So, for instance, Fortier, in her analysis of multiculturalism, makes the point that critics of multiculturalism are articulating concerns about the cohesiveness of the nation. Her work focuses on those who are ethnically rather than economically different, but the expression of anxieties that she recounts is remarkably similar to both the fears of the pauper and the fears of the anti-social. For Fortier:

> (T)hese injunctions (to integrate) are imagined in the ambivalent spatial terms of *obligations to* and *dangers* of proximity. 'Intimacy' thus extends beyond kinship or friendship to other forms of closeness – geographical, cultural, communitarian – that are given substance in terms of obligations to, and dangers of, proximity. (Fortier, 2007: 7–8; emphasis in the original)

This resonates with, and enhances, Ramsay's analysis. The working-class women who are the subjects of the support provided by IFSPs are amongst those in minoritised positions, whose emotional labour is 'required to make the majoritized subject feel better' (Fortier, 2008: 102).

My argument is that the synergies between the management of the anti-social and the management of diversity are very significant and worth close consideration; in particular, the richness of post-colonial scholarship may offer important opportunities for new theoretical insights. What these connections highlight, in particular, is that New Labour's anti-social behaviour initiatives need to be understood as a local manifestation of the complex amalgam of economic, social, political and technological concerns that are condensed into the notion of 'globalisation'. Linking these theoretical concerns and resisting cleavages may be one strand of 'a broader challenge to capital's latest offensive' (Sites, 2007: 134).

Conclusion

'Disciplining difference' is a rich and provocative theme with which this article has attempted to engage in order to disrupt the closure inherent in a meta-narrative of an ever-extending net of social control and the limitations of the liberal paradigm. Instead, the aim has been political and academic: to 'open up our examination of the present to questions that disrupt our own rationally formulated diagnoses' (O'Malley, 2001: 25). Drawing upon Ramsay, I understand anti-social behaviour initiatives as a distinctively third way response to the inherent insecurity of advanced liberalism, which demonstrates the inability of government to reassure its citizens that it can protect them from global insecurities. Instead, the responsibility to reassure is cast upon those citizens themselves. The incoherence and implausibility of this is made clear by a gendered analysis which reveals that women are bearing a disproportionately high share of the burden of reassurance. However, their paradoxical appreciation of government interventions suggests that perhaps they also bear a disproportionate share of contemporary anxieties. One response to this is to develop the categories of those deserving of additional resources from the state to encompass women who are the victims of intergenerational violence. The suggestion in this article is that it may be productive to place these initiatives in a broader historical context, in order to demonstrate that liberalism has constructed and deployed a cleavage between the respectable and disreputable poor as a way of managing

the urban problem of proximity since the industrial revolution – and anti-social behaviour initiatives are a contemporary manifestation of this technique. In this cleavage the role of the good mother plays a crucial part. As academics we can point out the significance of this cleavage, and we can also enrich our scholarship by resisting cleavages in theoretical work. Both must play some part in resisting the potency of neo-liberalism and authoritarian responses to its consequences.

Acknowledgments

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