
Governing Marginalised Populations : The Role of Coercion, Support and Agency

John Flint

**Centre for Regional, Economic and Social Research
Sheffield Hallam University, United Kingdom**

- › **Abstract_** *This paper seeks to locate homelessness within governance processes that utilise access to housing as a site for regulating conduct, particularly in relation to antisocial behaviour. It explores specific mechanisms being used in the United Kingdom, including Family intervention projects and housing benefit sanctions, and their relationship to mechanisms of eviction and homeless status. It argues that as these rationales and techniques of governance comprise a complex combination of conditionality, coercion and support they require a more nuanced debate about inclusionary and exclusionary trends in citizenship and the state regulation of marginal households. Such a debate would focus on the microphysics of power and account for the agency of governed subjects.*
- › **Keywords_** *Agency; antisocial behaviour; conditionality; family intervention projects; homelessness; housing benefit sanctions.*

Introduction

Housing is centrally linked to the governance of antisocial behaviour, incivilities and other social problems in many European nations (Flint, 2006) and the management of marginalised populations is related in diverse and complex ways to the development of homeless legislation and policies (Fitzpatrick, 2008). Many commentators have described a coercive shift (Fitzpatrick and Jones, 2005) characterised by an increasingly intensive surveillance and regulation of homeless people and a punitive and disciplinary actuarial programme of removing homeless individuals from public

spaces and clamping down on activities such as rough sleeping, begging and street drinking. It is argued that these developments reflect governance rationales that view homeless people as 'out of place' in public arenas within a wider context of reduced notions of their citizenship and a diminished faith in rehabilitation (Mitchell, 1997; Fitzpatrick and Jones, 2005; Whiteford, 2008; Moore, 2008; Johnsen and Fitzpatrick, 2008; Hermer and MacGregor, 2007 Millie, 2009; Squire, 2009). However, this analysis tends to neglect the diversity and inconsistencies of policy developments across Europe, where nations such as Belgium, France, Norway and Ireland have repealed legislation in order to decriminalise vagrancy or begging and nations such as Scotland have strengthened the rights of the homeless (Johnsen and Fitzpatrick, 2008; Fitzpatrick, 2008). Academic accounts also require a more rigorous assessment of whether homeless individuals who are 'squeezed out' of some public spaces are being offered 'systematic compensatory support' (Johnsen and Fitzpatrick, 2008, p.192). In other words, we may be witnessing the production of new or reformed 'local spaces of public welfare' (Whiteford, 2008, p.90) with complex interactions between exclusionary and inclusionary governance motivations and uncertain outcomes of policy interventions.

It is apparent in the United Kingdom that across a range of linked social problems, including homelessness, antisocial behaviour, drug and alcohol misuse, neglectful parenting and prostitution, there is a complex interplay between welfare support and criminal justice sanctions (Phoenix, 2008). Within what is termed state-sponsored 'coercive welfare' (Phoenix, 2008, p.282) the separate analytical categories of supportive inclusionary counselling or punitive and exclusionary legal approaches (Measham and Moore, 2008, p.298) have collapsed as a range of legal orders relating to parenting, drug misuse and prostitution make non-compliance with counselling or other forms of support an offence liable to fiscal or custodial sanction.

This paper suggests that housing remains a central site of the governance of marginalised households, with a specific relationship between homelessness and the regulation of antisocial behaviour. It argues that governance mechanisms are increasingly focused upon the failure of subjects to engage with welfare agencies and support mechanisms (Parr and Nixon, 2008, p.165) resulting in new forms of sanction, coercion and conditionality. It puts forward the case that critiques of these interventions often give an overly simplistic account of the motivations, techniques and outcomes involved and underplay the importance of agency. In order to advance these arguments, the paper focuses on two recent policy instruments in the UK: family intervention projects and housing benefit sanctions. Following a brief description of these instruments, it examines the microphysics of power and agency within them and reflects on the implications of these for projects of inclusion and exclusion in contemporary governance in Europe.

Family Intervention Projects

Family intervention projects have a long history in, for example, the UK and the Netherlands (Garrett, 2007; Welshman, 2008). The current interest in family intervention projects in the UK arose from a positive evaluation of a project in the Scottish city of Dundee, where families at risk of eviction from social housing on the grounds of antisocial behaviour were subject to intensive support and surveillance in order to enable them to change their behaviour and thereby sustain a social housing tenancy. Such projects may comprise outreach support to families in their existing homes, outreach support in dispersed tenancies managed by the projects or support in core residential accommodation involving intensive contact and surveillance. The projects are staffed by workers from a range of professional backgrounds, complemented by partnerships with key agencies, including local authority housing, education and social work departments and the police. The projects aim to address some of the underlying causes of antisocial behaviour, including parenting issues, family dynamics, neighbour disputes, mental health problems, domestic abuse and drug and alcohol misuse. The initial localised development of these projects has been more recently accompanied by national programmes of government funding and support for fifty-three projects in England and three projects in Scotland (for an overview of policy development and evaluations of these projects see Dillane et al., 2001; Nixon et al., 2006; White et al., 2008; Pawson et al., 2009). Housing and homelessness are central to these projects, as the threatened loss of a social housing tenancy is the most prominent criteria for households' referral to the projects, the loss of home remains the most powerful sanction against households for their failure to engage with the projects and the future sustainability of a tenancy is a key anticipated positive outcome of the projects' programme of work with families.

Housing Benefit Sanctions

Housing benefit is a means-tested social security benefit that is administered by local authorities in the UK on behalf of the Department for Work and Pensions. Housing benefit can cover the entire cost of a rent in the social or private rented sectors. It enables the majority of tenants in the social rented sector and one-fifth of tenants in the private rented sector to afford their rent and accounts for around half of the rental income of social landlords (local authorities and housing associations) in the UK (see Stephens, 2008, for a fuller discussion).

The Welfare Reform Act 2007 enabled local authorities in England to apply a housing benefit sanction in cases where a household had been evicted from a tenancy on the grounds of antisocial behaviour, where members of the household

had been offered a package of support and had failed to engage with this support and where members of this household made a subsequent claim for housing benefit from a new address. Eight local authorities are currently piloting a housing benefit sanction scheme where households will be subject to a tiered reduction of their housing benefit payment if they meet the above criteria and do not engage with support packages offered to them (see Flint et al., 2008a, 2008b, for a full description and interim evaluation of the pilot schemes). As with family intervention projects, the issue of homelessness is central to the scheme: households will have lost their original home as a result of antisocial behaviour and one consequence of a future housing benefit sanction is the risk of them being evicted from their new property on the grounds of rent arrears.

Micro-Regulation and the Microphysics of Power and Agency

Family intervention projects and housing benefit sanction schemes represent programmes of intensive supervision and surveillance (McIntosh, 2008). They also contain a coercive element through the threat of loss of home or fiscal penalties in which the non-compliance with offered support becomes the defining feature of the relationship between the subject and governing agencies (Measham and Moore, 2008; Holt, 2008; Parr and Nixon, 2008). It is also evident that these techniques of governance produce new local spaces of welfare and centres of calculation for intervening with marginalised households (Garland, 1997; Whiteford, 2008). Both programmes prioritise the domestic sphere as an arena of governance and have ambiguous relations with homelessness (Parr and Nixon, 2008). For family intervention projects, the presence of a physically bounded domestic sphere is a prerequisite for their operation. The rationales for family intervention projects are premised precisely on the notion that eviction from a tenancy does not in itself change behaviour or resolve problems and indeed lessens the control and opportunities for engagement that agencies have with individuals or households (Parr and Nixon, forthcoming). The outreach work of these projects takes place in a home environment and, in some cases, the provision of alternative residential accommodation (which may also be a condition of parenting orders) enables the intensive surveillance of households (Parr and Nixon, 2008; Holt, 2008).

Critics such as Garrett (2007) and Rodger (2008) argue that these rationales epitomise a draconian, punitive and overt intervention in the private realm of domestic life, akin to Foucault's notion of the panopticon, and that the residential 'sin bin' element of the projects is primarily motivated by a logic of spatial exclusion within the wider cleansing of public spaces (Whiteford, 2008, p.97). Structural factors such as housing, poverty and domestic violence are ignored and the

apparent voluntary nature of engagement with family intervention projects masks the coercion involved through the alternative to participation being a loss of the family home (Garrett, 2007; Holt, 2008; Whiteford, 2008).

The rationales of housing benefit sanctions are somewhat different, in that they apply following the loss of home on the grounds of antisocial behaviour and the future application of sanctions is likely to increase the risk of subsequent homelessness. Therefore the space and centrality of home as an arena of intervention is not accorded the same priority, although the provision of intensive support, and sanctions for not engaging with this support, still applies. It should be noted that a major criticism of the housing benefit sanctions is that they are a post-eviction measure rather than facilitating support linked to a sanction whilst households remain in their existing property. This situation is exacerbated by the increasing use of probationary or demoted twelve-month tenancies, which enable social landlords to end tenancies without recourse to eviction action. However, as with the other measures discussed in this paper, the more punitive and disciplinary mechanism of such tenancies, which reduces the rights and security of households, is to be balanced, at least in theory, by additional responsibilities upon landlords to provide the support required to individuals to enable them to sustain a tenancy (Flint, 2006; Flint et al., 2008a and 2008b).

I would argue that, within the local 'calculus of the new politics of conduct' (Whiteford, 2008, p.97), some of the academic critiques of programmes such as family intervention projects are inaccurate and overly simplistic. The projects were in part a result of an understanding that the eviction of antisocial households (i.e. the spatial exclusion of households from specific neighbourhoods) did nothing to resolve their problems (Parr and Nixon, forthcoming). A second important point is that family intervention projects, and indeed the support packages to operate alongside housing benefit sanctions, are precisely aimed at addressing underlying factors such as housing, education, mental health, domestic abuse and substance dependency problems, albeit within the constraints of a focus on individual households rather than wider issues such as poverty. One further consequence of both measures is the need for agencies to resource and deliver comprehensive and appropriate packages of support to individuals. There is a pressing need for academic commentators to acknowledge this, and the potential positive outcomes, as well as negative consequences, of coercive forms of support (Fitzpatrick and Jones, 2005; Johnsen and Fitzpatrick, 2008; Holt, 2008).

In order to achieve this more nuanced analysis, we need to consider to what extent the micro-regulation of individuals (Holt, 2008, p.210) is inherently problematic and to have a greater understanding of the 'micro-physics of power' (Holt, 2008, p.217) that play out in these interventions. Far from seeking merely to discipline, exclude or

silence marginalised individuals, the efforts to 'grip' households (Respect Task Force, 2006) are actually attempts to open up the lives of individuals and to challenge and influence what these individuals may become (Foucault, 1978; Holt, 2008). It is evident that family intervention projects, housing benefit sanctions and other measures including parenting orders and support orders linked to drug misuse or prostitution seek to cultivate certain desirable subjectivities as defined by either state policies or local interpretations of these policies (Parr and Nixon, 2008, pp.166–167). But it is also the case that these interventions open up new possibilities for subjectivity and produce new forms of agency, in which the interventions and support may prompt reflection and engagement on the part of individuals with support services (Nixon et al., 2006; Holt, 2008; Johnsen and Fitzpatrick, 2008; Pawson et al., 2009) and may result in individuals wishing to change 'who they are and who they've become' (Johnsen and Fitzpatrick, 2008, p.198).

There is a tendency in some critical literature to play down the voices of the individuals subject to these interventions or to suggest that their reflections on the outcomes of support, particularly where these are positive, result from the coercive nature of these interventions and the lack of any alternative option given the threat of punitive sanctions such as the loss of one's home or one's children being taken into the care of local authorities (Garrett, 2007). However, these observations also neglect the centrality of the agency of the subjects of governance. A number of important recent studies have attempted to 'write agency back in' to accounts of homelessness (Parker and Fopp, 2004; Casey et al., 2007; Whiteford, 2008; McNaughton, 2009). This agency plays out at many levels, including homeless individuals' management of their presence in public space; their resistance to, or engagement with, support services; their independence or reliance upon institutional provision; and their own reflections upon their conduct (Stokoe, 2003; Nixon and Parr, 2006; Casey et al., 2007). Crucially, this agency plays out in the (limited) spaces of manoeuvre available to homeless individuals and therefore indicates that processes and outcomes of governance attempts to manage marginalised individuals are far from certain.

There is also a corresponding need to examine the motivation and agency of local service providers (Parr and Nixon, forthcoming). Whilst it may be argued that interventions play out on a wider 'landscape of morality' or sermonising based on middle-class norms of behaviour informing governance practices or wider discourses of homelessness as a degraded form of citizenship (Holt, 2008; Whiteford, 2008), it is precisely the lack of moral judgements made by (often working-class) workers in family intervention projects that households value (Nixon et al., 2006; Pawson et al., 2009). It is evident therefore that although mechanisms for referral and funding may be channelled through a focus upon antisocial behaviour, such projects contain a significant social welfare ethos, based on finding

long-term sustainable solutions to individuals' problems, including their housing circumstances (Parr, 2008).

The evaluations of family intervention projects reveal two key dimensions of contemporary governance that are sometimes overlooked in academic debates. First, that mechanisms for managing marginalised populations have inclusionary as well as exclusionary motivations and outcomes even where they are accompanied by a coercive element that makes support conditional on certain forms of engagement and acceptable conduct. Second, the interface between state power and the subjects of that power is characterised by negotiation, limitation and resistance. This is evident in the differential experiences and outcomes for individual families and the fact that no individuals have yet been subject to an actual housing benefit sanction in the pilot local authority areas (Nixon et al., 2006; Flint et al., 2008b; Pawson et al., 2009; see also Johnsen and Fitzpatrick, 2008).

Governing Rationales of Citizenship and Inclusion

Although I have argued that the complexity and positive outcomes of new mechanisms for governing marginalised populations should be recognised, there is still a need for critical reflection on some of the central rationales underpinning the architecture of citizenship (Whiteford, 2008) that influence policy developments in European states. For example, the continuing focus upon the domestic sphere of 'the family' risks limiting the support provided to homeless individuals or couples without children, as is evident in both family intervention projects and housing benefit sanction schemes. Providing support primarily through addressing antisocial behaviour also risks denying access to this support for marginalised individuals who are not classified as being engaged in such conduct.

There is a further need to challenge the econometric rationality underpinning behavioural models informing governance policy interventions. The UK government argues that sanctions, including fiscal sanctions, would 'provide a very strong incentive to encourage those households to undertake rehabilitation when they have refused other offers of help' (Respect Task Force, 2006, p.23). Although the evidence for this is weak, the power of financial incentives is conceptualised as providing the ultimate traction for the 'thin rationality' (McNaughton, 2009) of marginalised individuals when other forms of engagement have failed. Indeed, the housing benefit sanctions are entirely premised upon this. Similar notions of financial determinants of behaviour are evident in the 'Killing with Kindness' (killingwithkindness.com) campaign that discourages individuals from giving money directly to homeless individuals and promotes the financial self-management of homeless individuals, for example through charging them for a meal in a homeless

centre. Even a recent research report (Business in the Community, 2009) that argues against welfare benefit sanctions suggests that a financial incentive should be paid to homeless people to encourage them back into work. However, focusing on financial measures, either as sanctions or incentives, negates the diverse range of motivations and challenges facing homeless individuals and marginalised households. More broadly, the focus upon economic rationality is linked to the pre-eminence of paid employment and financial autonomy as the primary characteristic of legitimate citizenship. Indeed, in several European countries, citizenship status and the social rights of this status (such as welfare payments and access to public housing) are becoming increasingly conditional on the employment position of the individual concerned.

To return to this paper's opening discussion of the governance of homeless individuals in public space, new mechanisms of coercive welfare will continue to be strongly influenced by how we imagine our citizenship and public realm. Johnsen and Fitzpatrick (2008) and Fitzpatrick and Jones (2005) are correct to identify the high-risk nature of coercive policies towards street homelessness and to question the extent to which coercive policies provide 'compensatory support' to those marginalised individuals increasingly denied access to public space. However, a broader question is whether intensive support to individuals may actually be provided without an accompanying punitive regulation of public spaces. Garrett (2007) argues that intensive support could be provided to vulnerable individuals in their neighbourhood without requiring them to move into what he terms the 'sin bin' accommodation of family intervention projects (although this argument is not supported by the research evidence). Research in England has found that dispersal orders, which grant the police powers to disperse groups in designated public spaces, resulted in more proactive and effective support mechanisms being considered for these groups, which could in theory have been provided without any need for a punitive legal measure (Crawford and Lister, 2007). Similarly, the threat of a housing benefit sanction was also viewed by local policy officers as potentially ensuring that a range of agencies developed comprehensive and effective support services for marginalised individuals (Flint et al., 2008a). At the individual level, the question is therefore to what extent coercion is a prerequisite for some marginalised individuals to engage with welfare support or for this support to be made available to them in the first place.

At a broader societal level, the question is whether the provision of enhanced support to marginalised populations can only be delivered as a compensatory mechanism within a more punitive and disciplinary governance of public space. A forthcoming comparative study of New York and Bogota shows that a reduction in crime, incivilities and antisocial behaviour does not necessarily require zero tolerance policing techniques, but may also be achieved through an inclusionary programme of public

investment in urban spaces and support services to marginalised populations. Which approach, or combination of approaches, is adopted by European nations matters because of their wider political and social consequences. Removing the visibility of marginalised populations from public spaces reduces the daily encounters and interactions that are important determinants of our sense of shared citizenship and mutual obligations. Generating a punitive political discourse emphasising sanctions, punishment and exclusion also masks the inclusionary motivations and positive outcomes that continue to be achieved through policy interventions. This in turn weakens the political case for providing the considerable public resources required to bring about beneficial changes in the lives of some marginalised individuals. For example, the UK government discourse has sought to highlight the punitive, disciplinary and 'community protection' dimensions of the core residential units in some family intervention projects, whilst the media and critics such as Garrett (2007) define these accommodation units as 'sin bins'. Such a definition plays down the essential welfare and rehabilitation goals of these projects.

Conclusion

Using the examples of two UK policy programmes – family intervention projects and housing benefit sanctions – this paper has illustrated how housing and homelessness remain central to the regulation of conduct and the management of marginalised populations. Although it focused on the UK, the implications of simultaneous strategies of conditional inclusions and exclusions within policy measures (Edwards and Hughes, 2008, pp.58–59) are applicable to the different contexts of individual European states. In particular, I have argued that the intensifying surveillance and supervision of marginalised populations in both public and domestic private spaces is not simply a project of exclusion. Rather, it involves the construction of new local spaces of welfare provision (Whiteford, 2008) in which coercion in the form of sanctions is linked to the take-up of (often-enhanced) support programmes.

Critiques of coercive welfarism need a more nuanced understanding of the micro-physics of power within these new spaces of welfare provision (Holt, 2008), with a specific account given to the agency of the subjects of these new programmes and those involved in delivering them. These accounts need to be located within broader debates about the underpinning rationales of citizenship and welfare in European states that are strongly influenced by governance approaches to the presence of marginalised groups, including homeless people, in public spaces. Governance attempts to eradicate homelessness and other social problems from 'both urban landscapes and public consciousness' (Whiteford, 2008, p.96) mask significant, if less visible, supportive interventions in other spaces, including family homes, schools, support centres and accommodation units. But these 'hidden' interven-

tions should be accompanied by a far more explicit policy promotion of the supportive and rehabilitative elements of these measures and a political commitment to address the needs of the most vulnerable individuals and households. Whilst this may be challenging, the new policy frameworks for addressing antisocial behaviour and homelessness in Scotland (Scottish Government, 2009a, 2009b) provide examples of how building a consensus for such an approach is possible.

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