

## The (Un)Senses of School in the Youth Justice

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**ABSTRACT – The (Un)Senses of School in the Youth Justice.** From a socio-anthropological, intersectional, and feminist perspective, this article analyzes the meanings that secondary schooling takes on for young males with alternative penal measures in a county of Buenos Aires, Argentina. Based on the analysis of ethnographic records, the article examines the role of the school within the architecture of needs proposed by the State for vulnerable youth in conflict with the law. The article points out that, for the actors within the Youth Justice, the school holds a central position. However, this relevance is questioned by the young individuals themselves, who bring forth multiple meanings based on their biographies and relationships with the educational system.

**Keywords: Youth Justice. Juvenile Penal Experience. Meanings. School.**

**RESUMEN – Los (sin)Sentidos de la Escuela en el Sistema Penal Juvenil.** Desde un enfoque socio-antropológico, interseccional y feminista, el artículo analiza los sentidos que adopta la escolarización secundaria para jóvenes varones con medidas penales alternativas en un municipio de Buenos Aires, Argentina. A partir del análisis de registros etnográficos, el artículo repone el lugar que ocupa la escuela en la arquitectura de necesidades propuesta por el Estado para las juventudes vulnerables en conflicto con la ley. El artículo advierte que para los actores del Sistema Penal Juvenil la escuela ocupa un lugar central. No obstante, esta relevancia es interpelada por los propios jóvenes, quienes plantean múltiples sentidos a partir de sus biografías y vínculos con el sistema educativo.

**Palabras clave: Sistema Penal Juvenil. Experiencia Penal Juvenil. Sentidos. Escuela.**

## Introduction

In a global context where patterns of social exclusion and persistent inequality are reinforced (Castel, 2004; Tilly, 2005), there is a consensus that the completion of secondary education is a relevant factor for the integration and social participation of individuals. Despite the devaluation of its credentials and questioning of its organizational format or “hard core” (Terigi, 2008; Ziegler, 2011), secondary school is still valued as an effective tool for social mobility and considered the privileged space for the socialization of young people (Correa, 2021).

In Argentina, the National Education Law No. 26.206 (hereinafter LEN), enacted in 2006, advocates for the expansion of compulsory education and the universalization of secondary education (Argentina, 2006), enabling access to historically excluded social sectors and raising new questions about its implementation and the multiple senses and meaning attributed by those who go through it, especially young people from popular sectors, who – as various studies suggest – recognize its social importance but question its format, demands, and resistance to the integration of new youth cultures (Montesinos; Sinisi; Schoo, 2009).

So, why go to school or return to it? What sense(s) does school hold for young (male)<sup>1</sup> individuals from vulnerable social sectors in conflict with the law, with educational trajectories marked by discontinuity and failure? This article begins with these questions and explores the meanings and practices related to school within the juvenile penal experience<sup>2</sup>. The analyses presented arise from interdisciplinary reflections and conversations around ethnographic fieldwork conducted in a penal facility that accompanies the implementation of Alternative Measures (hereinafter MA) imposed on young males. The study was carried out between 2018 and 2020 as part of a doctoral research on the reconfiguration of MA as juvenile penal experiences in a county of the Buenos Aires metropolitan area.

We propose as a hypothesis that the school occupies, at least in a discursive level, a central place within the architecture of needs (Haney, 2002) designed by the State for young individuals from popular sectors in conflict with the law. From an ethnographic and intersectional approach, we observe that the meanings expressed about school by these individuals challenge and strain such centrality. Institutional actors (both from the school and the Youth Justice - YJ) show certain disbelief and uncertainty regarding how to intervene in specific situations involving the educational continuity of these young people: Why insist that young (male) individuals resume and continue schooling? What does the school have to offer? Can the school receive them and do they want to?

We organize the article into four sections. The first presents the theoretical-methodological approach that underpins the research. The second, by way of context, addresses the configuration of the Youth Justice in the Province of Buenos Aires, the territory in which the study is circumscribed. Then, in a third section, we analyze the meanings that

secondary school takes on for young (male) individuals with Alternative Measures. Drawing on contributions from feminist theories of the State, we problematize the position that school holds within the discourses of state agents based on the framework of the state architecture of needs. Finally, we present some reflections that open up new questions regarding the relationships between these young individuals and school.

### **Theoretical-Methodological Approach**

The results presented here stem from a qualitative research that takes as its empirical reference the Socio-Community Center for Youth Justice (hereinafter CESOC) in the La Araucaria judicial department, specifically focusing on the experience in the county of Los Pecanes. This facility is under the Provincial Agency for Childhood and Adolescence, which operates under the Ministry of Social Development of the Province of Buenos Aires.

The particularity of this research lies in the researcher's insertion into the CESOC as a social worker within the team. This involvement allows for participant observations and ethnographic interviews conducted in various settings, such as hearings, CESOC meetings with the young individuals and/or their families, group sessions with young individuals in the center, as well as different institutions like schools, among others. For this article, fieldwork records from these instances, information gathered from the files of the 19 young individuals with Alternative Measures who participated in the research, and an interview with an institutional authority are utilized. The names of all individuals are fictitious, except for the provincial authority.

Ethnography, understood as an approach, method, and text (Guber, 1995), plays a prominent role in this research. Its main objective is the study of social everyday life, understanding the subjects, their perceptions, and meaning constructions, as well as the interaction between fieldwork and conceptual work (Achilli, 2005).

The second central tool of this research is the feminist approach concerning the State and the architecture of needs (Haney, 2002; Fraser, 1991), as well as juvenile experiences (Elizalde, 2015). In this regard, the concept of "experience" (Scott, 2001; Trebisacce, 2016) offers the possibility to rethink "alternative measures" in a way that considers the complexity of the social networks established among the actors, their relationships, emotions, concerns, as well as tensions and connections between their perspectives on school and the Youth Justice. Experience is understood in its critical sense, as "[...] biographical narratives have value for knowledge and politics insofar as they manage to address a history, a context, and social relationships" (Trebisacce, 2016, p. 290). In other words, it must be understood within the framework of the structural relationships in which it is embedded.

With this in mind, contributions from the intersectionality approach (bell hooks, 2020; Crenshaw, 1991) and the consubstantiality of

oppressions (Curiel Pichardo, 2014) are included, as the intertwining of social coordinates of class, gender, and race configure particular experiences and relationships between young individuals and other actors within the YJ, shaping a situated experience in relation to school. Although social class and, to a lesser extent, gender have gradually been incorporated as cleavages in local studies on juvenile experiences, the issue of race has faced more obstacles, partly due to the hegemony of the discourse that claims Argentines mainly descend from Europeans and also because the issue of race touches sensitivities of all kinds (Segato, 2007).

Today, in the modern/colonial system, “race” is a sign, a mark on the skin, associated with a history of power and domination (Segato, 2007). It is closely linked to the constitution of social classes in Argentina: Alejandro Frigerio (2006) affirms that the local category “negros” may encompass “villeros” and “cabecitas negras.” He suggests that the common knot between these categories, transcending time, is racial categorization. Racism assumes the biologization of inequality, meaning the belief that others are inferior and that nothing can be done about it, even with substantial wealth and upward social mobility. Therefore, the stigmatization and criminalization of young individuals (males) are so radical, violent, and persistent.

The methodological question of how to address this cleavage was raised by Rita Segato (2015) when investigating prisons in Brazil, where most criminalized individuals were of African descent. We also questioned ourselves about it, as racism in our country mainly targets individuals with features associated with indigenous peoples and mixed-race backgrounds, as argued by the local organization *Identidad Marrón* (Brown Identity), referring to individuals of “marrón” complexion, regardless of their identification with their ancestors. In another work, we delved into the configuration of the subject of this penal experience from an intersectional approach, emphasizing the problematization of the racial cleavage (Nebra, 2022). Although we could not fully and rigorously account for this racial dimension, we observed that most of the young individuals had “marrón” skin and hair and shared the experience of being discriminated against and mistreated as “black villeros”.

Thus, from this intersectional approach, even considering its challenges, we draw from some contributions from the educational field to analyze the school experiences (Dubet; Martuccelli, 1998; Larrosa, 1996). According to the sociological perspective of Dubet and Martuccelli (1998), the school experience is understood as a process of personal, social, and institutional construction in which students and teachers integrate into a school environment with diverse logics of action, involving relationships, meanings, logics of action, and strategies. In line with this approach, Jorge Larrosa (1996) analyzes the principles that underpin the concept of educational experience, explaining that it shapes and transforms the individual, involving a constant exchange with that which is sought to be understood. Every experience involves

encountering something or someone external to the individual, leaving an imprint on their words, representations, ideas, feelings, and projects. According to Larrosa, experience is not something that is created; it is something that is lived. In his words, “[...] it is a relationship with something that is not me because it proposes a condition of alterity, exteriority, alienation [...] It is a relationship in which something takes place in me in a reflexive, subjective manner [...]” (Larrosa, 1996, p. 93).

In summary, the concept of experience from an intersectional approach allows us to focus on the educational experience, without disregarding the individual experiences and structural conditions that shape them. It is a way of approaching the social and the general in a situated manner (Haraway, 1995).

### **The Youth Justice in the Province of Buenos Aires (Argentina)**

In Argentina, from the early 20th century to the present day, there have been disputes concerning the meanings attributed to youth and the ways of intervening in what, at each historical moment, was considered a transgression of the norm, especially after the enactment of the Law of Patronage of Minors (Argentina, 1919) and the Penal Code (Argentina, 1921). In each period, the characteristics of the young subject have been defined and debated, who has been considered, at times and sometimes simultaneously, as dangerous, abandoned, vulnerable, or a subject of rights.

In recent decades, the Human Rights approach promoted by international and national organizations has gained importance in Argentina, leading to various changes in the treatment of children and adolescents. The Convention on the Rights of the Child (CRC) was approved in 1990 and incorporated into the National Constitution in 1994, along with several international treaties, granting it constitutional status and the highest hierarchy compared to other norms (CN, article 75, section 22).

Despite the constitutional ratification and commitment to this declaration, it was not until 2005 that a national regulation in line with the CRC guidelines was enacted. This regulation is the current Law No. 26.061 on Comprehensive Protection of the Rights of Girls, Boys, and Adolescents (Argentina, 2005), which replaced the Law No. 10.903 on Patronage of Minors (Argentina, 1919). Under this new paradigm, it is expected that children and adolescents will be recognized as rights holders and cease to be, at least in theory, objects of discretionary intervention by the State. Although many institutional practices were already transitioning in concrete reality (Bruno, 2007), the approval of this law and the repeal of patronage marked a gradual transformation in both the legal sphere and the culture and institutions (Llobet and Villalta, 2019). Among other aspects, this law meant the separation of the judicial and institutional treatment of children and adolescents in situ-

ations of social vulnerability from those minors who were in conflict with the penal law. It is important to note that the national regulation governing the situation of young individuals in conflict with the penal law remained unchanged. This regulation is Law No. 22.278 on the Penal Regime for Minors (Argentina, 1980), enacted during the last military dictatorship in 1980 and still in force nationwide. In other words, at the national level, the regulation governing the juvenile penal system has not yet “adjusted” to the new rights paradigm.

As a federal country, each province must adhere to national laws and regulate how the general framework will be adapted at the local level. In this regard, the Province of Buenos Aires (PBA) enacted Law No. 13.298 on “Promotion and Protection of Children’s Rights” in 2005 (Provincia de Buenos Aires, 2005) and Law No. 13.634 on the “Creation of the Family Court and Youth Justice Court” in 2007 (Provincia de Buenos Aires, 2007c), guided by international conventions on juvenile penal matters and in line with the national and provincial laws on comprehensive protection. Various authors have addressed the transformations brought about by the enactment of these regulations (Villalta 2004; Llobet and Villalta, 2019), especially regarding Youth Justice and the implementation of alternative measures to imprisonment (Fernández 2018; Graziano 2017; García Méndez, 2008).

According to Law No. 13.634 (Provincia de Buenos Aires, 2007c), which regulates the operation of the Youth Justice Responsibility Court in the PBA, three important stages are identified in the judicial process: an initial stage of preparatory investigation, a second stage of trial, and a third stage of sentence execution (although the process can be suspended at any time). All these stages involve the prosecuting attorney, the defense attorney, the judge (or tribunal in serious cases), the young individual, and their families (under the jurisdiction of the Guarantees Court in the first instance and the Youth Justice Responsibility Court in the second and third stages). The determination of an alternative measure takes place through debates and agreements between the parties, with the judge having the power to make the final decision. Once the trial is concluded (if it takes place and the judicial measure is not interrupted before), the judge or tribunal can acquit the young individual or find them criminally responsible. In the first case, the measure is suspended, while in the second, a regime is established to comply with the penalties, which may include imprisonment, semi-liberty, and assisted freedom. The latter option refers to sanctions alternative to imprisonment. After declaring criminal responsibility, “judicial measures of social integration” are established.

At any of these moments, the judge has the power to impose a series of “rules of conduct” on the young individuals. These rules are a fundamental part of the alternative measures. In addition to those mentioned in the regulations, examining the judicial documents in the files of young individuals at the CESOC, it can be observed that these rules are similar for all measures (suspension, cautionary, and punitive), except in the case of house arrest. In the files of young individuals,

regardless of whether they are defendants or criminally responsible, rules are mentioned for each young individual, such as attending the CESOC and participating in the reflection spaces determined by this institution. They are also required to stay at their residence under the care of their reference family members, with a prohibition on going out at night unless accompanied by a family member. Additionally, they are prohibited from consuming drugs and alcohol, as well as meeting with co-defendants in their case if any. The obligation to continue or resume their education, providing evidence of regular enrollment and/or continuing their employment if applicable, is mentioned. The young individual and their family references are encouraged to participate in reflection spaces and/or begin psychological treatment at a health center. Contact with the victims is not allowed. Occasionally, the young individual may be required to pay a sum of money as reparation for the damage caused. In cases where a weapon is seized, it is mentioned that it becomes the property of the state, among other conditions.

As observed, one of the rules that young individuals (males) must comply with is to attend the CESOC, an institution that depends on the executive power. With the approval of the law founding the Youth Justice Responsibility Court, the Youth Justice Responsibility System was created by Provincial Decree 151 (Provincia de Buenos Aires, 2007a) for the prevention and accountability of Youth Justice offenses in the PBA. Based on this provision (decree), various devices that address this issue (whether with imprisonment, semi-liberty, or within the territorial scope) are established and/or restructured. These devices are under the supervision of the Provincial Agency for Childhood and Adolescence, which is part of the Ministry of Social Development of the PBA.

According to an interview we conducted as part of the fieldwork (Nebra, 2021) with Felipe Granillo, head of the Subsecretariat of Youth Justice Responsibility - under the Provincial Agency for Childhood and Adolescence, as of December 31, 2018, there were 655 young individuals (651 males and 4 females) in “confinement” devices in the PBA and 2168 (2086 males and 82 females) under the intervention of the CESOC. In other words, the overwhelming majority of young individuals involved in the penal system of the Province of Buenos Aires are males subject to an alternative measure (MA). Our observations also indicate that most of these young individuals come from popular sectors that have been historically stigmatized and targeted by security forces (Guemureman, 2014).

Annex IV of Provincial Decree 166 from the Ministry of Human Development (Provincia de Buenos Aires, 2007b) establishes the operation of the CESOC. The purpose and goal of these centers are to provide attention to the implementation of alternative measures to the criminal process and alternatives to imprisonment, which are ordered by the competent courts within a criminal process directed at minors. Below, we will explore the various ways in which the municipal team of Los Pecanes in the CESOC of La Araucaria in the PBA carries out social interventions, and we will analyze the tensions, negotiations, and agree-



ments that arise in relation to the meanings of this territorial penal policy, which go beyond what is established by regulations.

### *The School and the Juvenile Penal System*

The mandatory nature of secondary education, proposed by the National Education Law (LEN), generated processes of massification and the introduction of 'new audiences' into schools – heterogeneous groups of young individuals whose life experiences are characterized by multiple inequalities, with educational trajectories marked by dropouts or intermittent schooling. For these youths, the school was not designed in line with their foundational project (Birgin, 2001; Correa, 2018).

In its text, the LEN defines education as a social right and the State as its guarantor. Among the state's actions for fulfilling its purposes, it advocates for the development of '[...] universal policies and pedagogical strategies and resource allocation that prioritize the most disadvantaged sectors of society' (Argentina, 2006, article 11, section e). However, despite the progress in expanding access to schooling and implementing social and educational inclusion policies in line with the law, qualitatively, there still exists a heavily segmented educational system with differentiated school circuits and social disparities that categorize young individuals and their families based on their educational and social capital (Braslavsky, 1994; Kessler, 2002; Tedesco, 2005).

In this scenario, the question of the purpose of the school not only challenges young individuals but also the institution itself regarding what it 'offers' as a comprehensive formative proposal in a system that, as mentioned, is heavily segmented. What kind of school is proposed to young individuals from popular sectors in conflict with the law? What experiences concerning the school have shaped the representations they currently express about it? How do the perceptions of institutional actors about the school influence their interventions? What role does it play in the architecture of needs? We will briefly address these questions in the next section.

Analyses begin by understanding the State as an 'interpreter' of needs, a reading that enables it to make forecasts and promote mechanisms to satisfy them. In this framework, Haney (2002) argues that the State designs an 'architecture of needs,' a complex structure that defines who is in need, in what way, and what political actions must be taken to meet those needs. In other words, it proposes a specific interpretation of how to address the needs. Fraser (1991) argues that this involves understanding social demands within the framework of controversial networks of conditioned relationships and not taking for granted that '[...] the socially accepted forms of public discourse available to interpret people's needs are adequate and fair' (Fraser, 1991, p. 7).

Based on these theoretical coordinates, we wonder about the centrality of the school in public discourse and the tensions that such representation holds for young individuals from popular sectors who navigate it.



### *Meanings Surrounding the School in the Juvenile Penal Experience*

Numerous studies argue that secondary education today has a different meaning than it did in the early modern educational systems (Dussel; Brito; Nuñez, 2007; Llinás, 2009). The perceptions constructed by young individuals as social actors about the school have changed due to transformations in sociopolitical contexts and the weakening of modern institutions, which were previously frames of reference and regulation for individuals' behavior (Tiramonti; Mintegiara, 2004).

From a sociological perspective, Tenti Fanfani (2009) argues that the meanings attributed by young individuals to the completion of their studies are influenced by multiple cultural factors and the position they occupy in the social structure. Accordingly, he identifies three possible interpretations: attending school as a social obligation, for purely instrumental reasons, or for the love of knowledge. Other authors refer to these interpretations as 'traditional senses' of completing school (Llinás, 2008).

What other meanings, apart from those documented, emerge from the voices of the young individuals? Below, we present some ethnographic accounts related to the fieldwork of the research presented at the beginning of the article.

At the beginning of 2018, one of the authors attended six hearings of six young males aged between sixteen and twenty years, on one of the first days of fieldwork in the county of Los Pecanes<sup>3</sup>. Each of them was asked a series of questions that were repeated at the beginning of each hearing, regardless of the particularities of each case. Among them, one of the first questions was, 'Are you attending school?' Whether it was school 'extramuros' or 'intramuros' (two youths were detained). From the initial approach to the field, it was observed that school attendance is one of the most relevant activities in the court, and it is also one of the main activities promoted to continue or resume from the CESOC (Nebra, 2019). Moreover, it is one of the institutions that young individuals (males) almost always refer to in their accounts.

During one of these hearings, Judge Salvatore asked Kevin Pérez if he was attending school. When the young man replied, 'They told me it's useless,' everyone fell silent. For a few seconds, all of us looked at Kevin in surprise. 'How can you say that school is useless?' the judge interjected seriously, with a tone that showed some intrigue but also reproach for what he was saying. The young man briefly explained that he had been told that in the guarantee court of the judicial district from which his case originated, which was different from the one he was in at that moment. Judge Salvatore's face softened a bit; he seemed to understand what Kevin was saying: 'Oh, they told you that it's useless for the case?' The young man nodded. 'Listen, Pérez, school is useful for the court, but it's also useful for you as a person, for your personal development.' The young man nodded several times quickly. The hearing continued.

As we mentioned, since 2006, secondary education has become mandatory for adolescents and young individuals. Consequently, it was

observed that almost all of the young individuals (males) with alternative measures had completed at least one or two years of secondary education<sup>4</sup>. The vast majority had stopped attending after repeating a grade several times or having some conflict in the second year. A smaller percentage continued studying in the grade appropriate for their age or had repeated only once. Some young individuals had their schooling interrupted by the same penal process that involves detentions, transfers, hearings during school hours, among other concerns.

The mandatory nature of secondary education rekindles and reinforces a process that began in the mid-twentieth century to expand its reach. At the same time, it implies a reorganization of discourse concerning needs (Haney, 2002; Fraser, 1991) and rights (Llobet; Villalta, 2019), in which the school assumes a prioritized place in the 'expected' life for young individuals.

Now, from the question about school attendance, a brief exchange between Kevin and Judge Salvatore allows us to observe some of the meanings surrounding the school that challenge and discuss this architecture of needs and rights in this context. Starting with the end of the exchange, the judge tells him, 'School serves you as a person's development.' In this way, the school has value in the possibility of effecting a qualitative change in the young individual, which is considered positive by society. Personal development seems to be a value in itself. This statement, part of a longer sentence that is presented as different/contradictory to the judge's clarification, 'School serves the court,' gives the school a utilitarian function in which the ultimate goal is to benefit the young individual in their criminal case. Salvatore's affirmation about attending school, either as an action guided by values or oriented toward an end, is the corollary of Kevin's phrase, 'The school is useless'.

We have reversed the sense journey to contrast these two meanings with the moment of confusion that arose after the young man's statement. The silence that fell in the room, the fixed gazes on Kevin, and the judge's reproach, but also his intrigue, allow us to identify the possibility that indeed, the different actors in the system sense that the school does not 'serve' these young individuals.

Furthermore, later on, after joining the CESOC, references to the 'usefulness' of school were heard on several occasions. Alfredo Iván, a 17-year-old young man subject to an alternative measure for the crime of complicity, complained about school during an interview at the CESOC and exclaimed, '[...] school is useless,' to which one of the social workers replied, '[...] it's useless, but for finding a job, given the state of the world today... you'll end up working for someone as a mule if not.' The young man agreed. '[...] What I want is to finish school, and that's it... I was never interested in studying anything else,' he added, '[...] What I want is to become a train conductor... but I probably need a high school diploma for that.' Here, school becomes a means to access a job with better working conditions or even have the opportunity to work in a desired field.

While school is relevant for the majority of young individuals, work is the activity prioritized, especially for young men influenced by this mandate of masculinity. Thus, school has a positive utilitarian sense concerning work since it supposedly allows for better job conditions, and, on the other hand, a negative utilitarian sense concerning work as the school's schedules and tasks overlap and hinder work activity.

Now, we have explored the meanings related to the school in the educational experience of young individuals (males) involved in the penal system concerning its usefulness for the criminal case, its relevance to the labor market, its value as part of their personal development, and the contradictory aspects of the school. Finally, we want to highlight the dimension of relationships that gives a particular meaning to the school experience for these young individuals.

In an interview with the school principal and two educational counselors of Ramiro, a young man who is undergoing an alternative measure for an aggravated robbery crime, they informed us that in the last two years, he has had numerous conflicts with his classmates. As a result, he was first moved to a different group, then to a different shift, and now he has stopped attending 'regularly' because he is participating in two programs called 'Accelerated Classrooms' and 'Zero Repetition.' These people show concern for the young man's well-being; they know his personal history in detail and have had several meetings with him and his family. It seems they are trying to help Ramiro maintain his education, and they have affection for him. The principal shares an anecdote in which the young man asked for help because other people threatened him with death, and since his mother could not pick him up from school, the principal took him to his own car to his house, located in a dangerous area of a shantytown in the county, late at night. Ramiro felt sad because his mother had not come to get him, and it was the principal who ensured his safety instead. In this anecdote, the school becomes a place of protection and care for Ramiro in the face of danger, and this meaning intensifies when he realizes that his own mother was not there for him. Despite his irregular attendance at school, it offers him a safe haven and has reference figures he can turn to.

These reference figures, in addition to showing concern, appear to be disoriented because nothing they do seems to have the desired result. Like most young individuals (males) with alternative measures attending the CESOC, Ramiro tends to be frequently absent from classes, and when he is present, his participation is practically nonexistent, and he may even generate conflicts. Kessler (2007) addresses the concept of 'low-intensity schooling,' characterized by the 'disconnection' that manifests in two ways: one is boredom or lack of interest while the young individuals are in the classroom, doing nothing, and the other is 'undisciplined disconnection,' which involves disinterest accompanied by disruptive behavior. The latter case applies to Ramiro. On many occasions, the school attempts to get these young individuals to leave because they cannot exert control over them, although they do not nec-

essarily expel them due to retention policies that limit this possibility. Kessler (2007). Kessler (2007) argues that this disengagement allows young individuals (males) to pass to the next grade without studying, thereby confirming the school’s senselessness.

Following a series of complex anecdotes involving Ramiro and stating that even “[...] the school secretary is afraid of him,” and besides “[...] he’s a real leader... negatively, right? But a real leader, the girls are crazy about him,” one of the educational counselors says, “The problem is there’s no place for Rodrigo... we have to take him (making a gesture with her hands as if moving someone from one place to another) and put him somewhere else (while shaking her head as if regretting what she’s saying)”.

The fear and danger attributed to these young individuals in schools are configured in the intertwining of gender, class, and racialization. While the context of feminist demands brought forth strategies to support young women who, some time ago, were the ones left out of some institutions, this did not happen with the young men more involved with crime and ‘the streets,’ although gender mandates are a central part of these practices. Furthermore, the association made between youth and dangerousness is much closer with young men than with young women (Elizalde, 2015). While we have heard references to young women as ‘conflictive,’ we have never heard them being associated with the fear of potential dangerousness, as was the case with young men.

Thus, from an intersectional and situated perspective, we observe that young individuals with alternative measures have a particular experience regarding the school that allows us to identify the following meanings:

**Table 1 – Senses Related to the School in the Juvenile Penal System**

Senses		
UTILITARIAN	Criminal case	When presenting proof of attending school, the judge may mitigate the young person’s judicial situation.
	Labor market	Positive: Having a completed high school diploma would allow access to jobs with better conditions. Negative: Attending school hinders the fulfillment of work schedules and tasks.
SUBJECTIVE	Incorporated Capital/Training	The school enables the incorporation of meaningful learning and content.
	Subjective Transformation	The school allows for critical thinking, reflection, self-esteem, etc.
PROTECTION	The school enables the establishment of affective and caring relationships with other people.	
SENSELESS	There is no sense found in attending school.	

Source: Elaborated by the authors.

These meanings are not presented in a definitive and strictly delimited manner, but we present them in this way for analytical purposes. This classification allows us to observe which of these meanings gains greater relevance in a specific situation compared to others, or which types of actors highlight certain meanings. It would also allow the design of strategies in which a balance and/or prioritization of meanings can be sought according to each particular situation.

## **Final Reflections**

In this article, we have presented some of the multiple meanings that revolve around the school for different actors in the Youth Justice-Responsibility System. Firstly, we highlighted the normative and cultural transformations that restructured the architecture of needs, positioning the school at the center of the discourse related to the rights of children and adolescents. We also showed how young people who are within the criminal system – mostly boys from marginalized sectors – are affected by situations of social and criminal vulnerability for which the education system is not necessarily prepared. At the same time, the traditional meaning of the school linked to social mobility is losing strength, now being seen merely as a dimension that reduces the conditions of labor exploitation. The low-intensity attendance of school challenges the intrinsic value of knowledge and subjective formation.

The meanings presented in this work lead us again to the challenge of thinking about educational “inclusion”: How? For what purpose? It also allows us to ask again about the “low-intensity” schooling of those who do attend school: Is it considered temporary? Is it preferred to dropping out? Is it seen as “inclusion”? And regarding the obligation to attend school as a judicial measure: Is it a punishment? Is it an activity to occupy idle and “dangerous” time? Is it for education?

Although Terigi (2008) proposes to broaden the meaning of “exclusion in education” to “include the forms of low-intensity schooling” (Kessler, 2004), elitist learning (Connell, 1997), and those of low relevance (Terigi, 2010), we may wonder if the “low-intensity” is the same as total exclusion in the case of the young people we work with, who are exposed to extremely complex and sometimes dangerous situations, as presented.

The school plays a significant role for young people in conflict with the law, and this is due to different reasons and meanings. As proposed by Kessler (2007), the school is one of the few institutions still available to them, highlighting the importance of its role in reconstructing the sense of the law. Regardless of the priorities assigned to it, the school remains an integral part of the life trajectory of these young people.

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## Notes

- 1 We use the expression “young males” to account for and highlight the dual condition of the juvenile justice system: its apparent neutrality and its gender bias. Therefore, by “young males”, we refer to the entire young population (including females) predominantly composed of males. The clarification “males” may seem repetitive to the reader, but we maintain it because our goal is to acknowledge that the juvenile justice experience is masculinized. In other works, we delve deeper into this dimension.
- 2 This article builds upon the discussions raised during the X Sociology Conference of the National University of La Plata, Argentina (Nebra, 2018), and the interdisciplinary exchanges of the cycle of talks “Education, Subjects, and Territories: Experiences, Practices, and Knowledge in Dialogue” at the National University of La Pampa, Argentina (UNLPam, 2021). The fieldwork cited here was conducted as part of Julieta Nebra’s doctoral research (2021).
- 3 Although we have opted to modify the names of the judicial department and the municipality of Los Pecanes to preserve anonymity, we provide some references that allow us to contextualize this experience: Los Pecanes is one of the 24 districts of Greater Buenos Aires (Conurbano Bonaerense), where 10,894,664 people reside, representing 25% of the country’s population and 64% of the population of the Province of Buenos Aires (PBA). This municipality is almost entirely urbanized and is strongly linked to industrial production. It borders the Autonomous City of Buenos Aires (CABA) and other municipalities in the province. According to the indicators of the Social Progress Index, the Center for the Implementation of Public Policies for Equity and Growth (CIPPEC, 2018) states that Los Pecanes is among the municipalities with medium to high results above the average of the conurbation.
- 4 During the research period, the experiences of 19 young people under MA were analyzed. Only one of them had never attended high school.

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