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Sexing the Teacher: School Sex Scandals and Queer Pedagogies

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Dauvergne’s conceptualization of this “unhinging” draws on Boaventura de Sousa Santos’ idea of the emancipatory potential of law: she suggests that a turn to legal process carries the possibility of de-emphasizing state-centred rights and emphasizing basic principles of the law. This would involve envisioning all persons, regardless of their immigration status, as having the right to be heard before the law and as entitled to protection under the law. Currently, persons without legal status—those deemed “illegal”—exist outside the legal system, as their presence within the nation-state is deemed to be in contradiction to the law and, thus, not deserving of the law. At this key juncture of her argument, Dauvergne fails to offer much guidance for imagining how “unhinging” could be actualized; nor does she provide a clear definition of the ever-elusive concept of the rule of law. Her analysis does not address how this concept of unhinging the rule of law may be related to existing international legal practices. She suggests a global ethical community of law as a potential grounding for a legal regime that is detached from the nation-state, but she does not engage with critiques of the concept of a global community of law. Moreover, it is not clear how Dauvergne would reconcile the unhinging of law from the domestic will of sovereign states with the common understanding of sovereignty as the democratic will of a population of citizens.

Dauvergne admits that “this task is, at present, at the very limits of the collective imagination of Western states and Western advocates, and even of my own imagination” (p. 190). Asking questions is the first step. *Making People Illegal* succeeds in prompting readers to do exactly that. Dauvergne has intriguingly and accessibly demonstrated that the present framework of the migration system is unacceptable. Instead of simply reiterating the need for change and action on these issues, this book offers a new framework, based on a proactive judiciary, which at the very least demonstrates that there is a glimmer of hope for change.

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Sheila L. Cavanagh

Sexing the Teacher: School Sex Scandals and Queer Pedagogies. Vancouver: UBC Press, 2007, 230 p.

Sheila Cavanagh’s insightful analysis of female-teacher sex scandals and their treatment in media and public discourse bridges disciplines. Cavanagh argues that there is a fundamental difference between public and media responses to sex scandals involving female teachers and responses to those involving male teachers: the latter are often framed as natural or wholesome when they result

in marriage (p. 5), unlike female-teacher relationships that end in marriage. She incorporates psychoanalytic theory, film theory with a focus on the genre of film noir and the character of the femme fatale, feminist theory and methods, and postcolonial and literary analysis to unearth the discrepancies in the responses to and the underlying “problem” of female-teacher sex scandals.

Cavanagh summarizes and analyses the Canadian cases of Mary Kay Letourneau (1997); Annie Markson (2001); Amy Gehring, a Canadian teaching in the United Kingdom (2002); Heather Ingram (2000); and Jean Robertson (1993). In all of these cases, the women were brought before a court or disciplinary panel for “inappropriate” contact with their students, with varying results. Letourneau spent just under seven years in prison. Markson was charged with violating the teachers’ code of professional conduct and lost her teaching licence. Gehring was cleared of having inappropriate sexual relationships with young boys. Ingram pleaded guilty to sexual exploitation for having sex with a 17-year-old student. Robertson was convicted of sexually abusing a female former student. The Robertson case demonstrates what Cavanagh terms the “proliferation of queers” in the additional threat posed by a white lesbian teacher toward female students (p. 166). And the threat of a white lesbian teacher, for Cavanagh, is that the reproductive futurity of the white race will be halted or diminished by the inability of lesbians to reproduce. Robertson’s case demonstrates an “indifference toward the purity of the ‘white race’ and its heteronormative future” (p. 166). Cavanagh argues that the sex panics caused by these women and their relationships with their students cause outrage because they disrupt a Western, colonial sense of what she terms “heterosexual time” (p. 14).

Cavanagh describes “heterosexual time” as representative of the reproductive futurity of a particular group or culture; heterosexual time is consistent with human reproduction, developmental growth, and life stages. The relationships discussed in *Sexing the Teacher*, between a female teacher and younger male student, are framed as disrupting the developmental growth of the student and as causing a potential fracture in what would be considered “normal” life stages. Cavanagh further states that disrupting the life stages of the students also upsets the nuclear family and “its investment in successive generations” (p. 31). Within this framework, the alleged victim (the male student) is a “stand in for a psychoanalytical developmental crisis” (p. 33) initiated by the female teacher. The result: “reproductive fantasies of colonial succession are troubled, and the white female teacher . . . is a catalyst for the trouble” (p. 33).

Cavanagh argues effectively that moral panics about sexuality are holding tanks for social anxieties about alternative sexualities and alternative notions of marriage and family (pp. 49–50). Sex scandals involving female teachers elicit a high level of public outrage because they make explicit the queer desires of relationships between female teachers and male students, not as relationships of victimhood but as relationships of desire on the part of

both individuals. These desires are framed as queer because of age difference and because the older, female partner holds the position of power while the younger, male partner is in a submissive role. In both the Letourneau and the Gehring cases, it became evident that the boys involved had sought out intimate relationships with their teachers and were not victims of sexual abuse.

High school culture is one of strict sexual boundaries between teachers and students and among students themselves. Cavanagh argues that because teachers are constructed as non-sexual, any sexual display challenges that construction, and a sexual relationship with a student violates accepted norms of non-sexuality as well as having broader implications regarding authority and power. I find her argument convincing and enlightening. Cavanagh does not deny the potential harm that crossing sexual boundaries and engaging in coercive sexual activity can have on students; rather, she demonstrates that the cases discussed do not demonstrate a need for child protection but, rather, are “scandalizing” because they challenge sexual norms related to colonialism, heteronormativity, and the normative family.

Some readers of *Sexing the Teacher* may be unsettled by the discipline-specific terminology of psychoanalytic theory and by the use of psychoanalytic theories to analyse deeper cultural and social roots of the panic caused by these sex scandals; others may be unwilling to accept that younger male students can be anything other than victims of their female teachers. Yet Cavanagh’s book will be of interest to law and society scholars for its exploration of the intertwined discourses of sexuality, age, power, and protection. As demonstrated by the case of Amy Gehring, the initial media response to the case left a much deeper impression than did the fact that Gehring was cleared of any wrongdoing. As this critically important book demonstrates, legal and social expectations regarding sexuality, teachers, and schools are intertwined.

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La gouvernance, le droit et l'État. La question du droit dans la gouvernance publique. Bruxelles, Bruylant, 2007.

La dernière décennie du XX^e siècle a été le théâtre d'un tournant majeur dans le domaine de l'administration publique. Une nouvelle ère a débuté dans le sillage de la mobilisation des acteurs du nouveau management public pour transformer l'appareil étatique, cet organe incontournable et improductif qui tarde à se mettre au diapason des exigences de la