


THE DISCIPLINARY POWER IN DISCIPLINARY ADMINISTRATIVE PROCEEDINGS IN UNIVERSITIES AND PUBLIC SCHOOLS

 <https://doi.org/10.56238/arev7n4-096>

Submitted on: 03/09/2025

Publication date: 04/09/2025

Velci Muniz Vieira¹ and Geraldo Antônio Rosa²

ABSTRACT

This article analyzes how administrative disciplinary processes are born in the daily life of public schools and universities, often being sustained by an order of discourse of power and knowledge, according to the concepts of Michel Foucault. The research explores how the micropowers present in school dynamics control knowledge and shape teachers' subjectivities, using the procedures that precede the establishment of disciplinary processes as control devices. In the construction of the State of the Art for the defense of the thesis with the theme that imbricates power and processes, 28 works were selected among theses, articles, and dissertations with the descriptors, disciplinary power, disciplinary administrative process, and education. The findings highlight the need to rethink these practices, evidencing the impacts of disciplinary power on pedagogical autonomy and educational dynamics.

Keywords: Disciplinary administrative proceedings. Disciplinary power. Micropowers. Michel Foucault. Education.

¹ PhD student in Education at the University of Caxias do Sul/ UCS. Master in Education from the University of Planalto Catarinense/Uniplac with specialization in Constitutional and Criminal Law.

E-mail: Velcivieira15@gmail.com

² PhD in Theology: Religion and Education, Post-doctorate in Humanities (Madrid-ES), Post-doctorate in Higher Education Management (Algarve-PT), researcher in CNPq Productivity.

E-mail: Geraldorosa06@gmail.com

INTRODUCTION

THEORETICAL FOUNDATION

The notion of disciplinary power, as developed by Michel Foucault, is associated with the control and normalization of individuals through institutional mechanisms. In his work *Discipline and Punish*, Foucault describes how modern institutions, including schools, operate according to a disciplinary logic that aims to produce docile and useful subjects to society. This disciplinary power is manifested through norms, sanctions, and surveillance devices that regulate the conduct of students and education professionals mainly.

The administrative disciplinary process regulates the public service, giving the public entity the discretionary power to institute it by constitutional and administrative principles, such as legality, morality, impartiality, and efficiency. This procedure is indispensable to understanding and organize public administration. However, between the materiality of an illegal conduct and its formal investigation, there are preliminary procedures that, within the scope of discretion, often operate within a logic of power. According to Meireles (2016, p. 145), the administrative disciplinary process is defined as an instrument aimed at investigating serious misconduct committed by public servants and other individuals subject to the functional regimes of certain public administration bodies.

In this research, which analyzed 28 publications in journals and articles from the CAPES and IBITC platforms, we investigated the relationship between disciplinary power and the initiation of administrative proceedings. The results revealed that, in the context of public administration, the disciplinary power exercises the function of internally regulating functional infractions committed by civil servants and other people linked to public bodies, as pointed out by Meireles (2016, p. 145). The disciplinary power "is the faculty to internally punish the functional infractions of civil servants and other persons subject to the discipline of public bodies and public administration services". This power, while organizing institutional dynamics, is also structured based on a logic that reinforces normative and hierarchical practices.

We also raise here the discussion about the microphysics of power, another Foucaultian concept that sustains the idea of a power that does not emanate exclusively from higher instances, but is dispersed in multiple daily relationships. In the school context, for example, this means that teachers, managers, and even the students themselves participate in the maintenance and reproduction of these disciplinary practices. In addition, the notion of biopolitics, as formulated by Foucault, allows us to understand how power is

not limited to repression but operates in the management of life and bodies on a population scale. Biopolitics is manifested in the regulation of behaviors, in the standardization of health, education, and discipline, demonstrating that control over bodies and behaviors goes beyond the walls of the school and extends to other social spheres.

METHODOLOGY

The research was based on the quantitative analysis of 28 academic papers that discuss the disciplinary administrative processes in universities and public schools. The selection criteria for these works included the relevance of the theme, the methodological approach, and the theoretical foundation. Scientific articles, dissertations, and theses available in academic databases were examined.

After collecting the papers, a categorization of the main approaches used by the authors was carried out, identifying patterns and recurrences in discussions about disciplinary power in schools. Then, the qualitative analysis sought to relate these findings to Foucaultian concepts, showing how administrative disciplinary processes reflect the power dynamics described by the author.

SUBJECTIVATION AND EVERYDAY CONTROL

In the educational context, Foucault's theory of micro powers reveals subtle and everyday forms of control and influence that permeate relationships in small groups or individuals. Unlike centralized power, which is visible and recognized, micro powers act in a dispersed way, often imperceptibly. Operating in a decentralized manner, these micropowers shape attitudes, behaviors, and perceptions without resorting to direct coercion, but through implicit mechanisms of regulation and discipline. This Foucaultian perspective offers a detailed look at the power dynamics present in school interactions, showing how they create and reinforce invisible but effective control structures.

In schools, micro powers are evidenced in the daily relationships between teachers, managers, and other employees. How professors are evaluated, the institutional expectations regarding their conduct, the implicit rules of coexistence and even the informal practices of supervision among colleagues are examples of how these micro powers operate. These subtle and decentralized dynamics of control not only shape the behavior of teachers, but also influence their subjectivities, reinforcing institutional norms and values. By creating an environment of constant surveillance and regulation, micro

powers consolidate a discipline that does not depend exclusively on hierarchical impositions, but that manifests itself in daily interactions and institutional structures, limiting the pedagogical autonomy of teachers

From this perspective, the disciplinary power, present in the administrative disciplinary processes in public schools, is not restricted to the act of punishment itself, but manifests itself as a continuous process of molding the bodies and actions of individuals. The micro powers, when acting daily, construct the subjects through implicit norms that promote conformity and subordination. According to Deleuze's concept of capture, this dynamic involves the imprisonment of teachers in an institutional logic that restricts their actions and perspectives, nullifying their pedagogical freedom and weakening the autonomy necessary to fully exercise their role.

FORMATION OF SUBJECTIVITIES

From Foucault's point of view, the mechanisms of surveillance and punishment present in the school context play a central role in the formation of teachers' subjectivities. When performing their functions, teachers internalize these institutional practices, often unconsciously, resulting in a process of self-control. This self-control makes teachers adjust their conduct to established norms, complying with institutional regulations without questioning them, in many cases. The fear of being evaluated or punished, combined with the pressure to meet the expectations of the school administration and society, creates an environment of constant insecurity and stress.

This dynamic not only weakens the pedagogical autonomy of teachers, but also profoundly impacts their relationships with students and their educational practice, contributing to the perpetuation of the logics of power in the space of the students.

From Foucault's point of view, power and knowledge are inseparable, operating together to define what knowledge is legitimized and how this knowledge should be transmitted and appropriated. Through surveillance and regulation devices, the school establishes norms that shape not only the pedagogical practices of teachers, but also their subjectivities. Thus, the control of knowledge reflects a logic of disciplinary power that seeks to ensure conformity and reinforce institutional hierarchies, limiting the autonomy of teachers and restricting their freedom to question or innovate in the educational space.

CONTROL OF DISCOURSES IN SCHOOLS

One of the central concepts of Foucault's theory, which is directly related to disciplinary processes in schools, is the link between power and knowledge. Foucault argues that power and knowledge are not separate entities, but rather inextricably intertwined. Power not only imposes rules, but also defines what is considered legitimate and truly valid knowledge within a society. This "knowing" is used to shape the behaviors and attitudes of individuals, including especially teachers. It is through them that students are reached.

The devices of power, according to Foucault, are sets of practices and structures that operate to establish norms and define truth in a given context. In a public school, or even in universities, the devices of power include formal regulations, but also everyday practices, such as the interaction between teachers and students, the way students are organized in the school space, and the types of discourses allowed in classroom discussions. What is considered "true" or "right" in school is often the result of a historical construction of power, in which certain knowledge is legitimized to the detriment of others.

This control of discourses, as a device of power, is also manifested in administrative disciplinary processes. How are the complaints that will support the disciplinary processes in schools structured? They often resort to norms and values that are presented as absolute, without considering the cultural, social, historical and political diversities in the school. The knowledge that underlies these disciplinary practices is often a normative knowledge that overlaps the concrete experience and contexts of the teachers.

THE APPLICATION OF DISCIPLINARY POWER IN ADMINISTRATIVE DISCIPLINARY PROCEEDINGS

The administrative disciplinary process is an indispensable mechanism for the organization of public schools, ensuring the regulation of teaching conduct by constitutional and administrative principles. However, its application cannot turn into an arbitrary control device. It is essential to observe due process and ensure the full defense of teachers, to avoid abusive practices that seek to target dissidents or reproduce institutional inequalities.

As Foucault proposes, disciplinary power transcends external imposition, also operating in the formation of teachers' subjectivity. By internalizing regulatory norms and practices, the teacher adjusts to institutional expectations and becomes a subject of self-control, expanding the dynamics of surveillance present in the school. These conditions, if

applied in an unbalanced way, can limit pedagogical freedom, weakening the autonomy necessary for the construction of a fairer educational environment.

CRITICAL ANALYSIS OF ADMINISTRATIVE DISCIPLINARY PROCESSES IN UNIVERSITIES AND PUBLIC SCHOOLS: A FOUCAULDIAN PERSPECTIVE

PRESENTATION OF DATA

From the quantitative analysis of 28 academic papers on disciplinary administrative processes (PADs) in public schools and universities, recurrent patterns were identified in the theoretical approaches and practical challenges faced by the actors involved. Among the main thematic axes, the following stand out:

- The legal basis and constitutional principles applied to the PADs;
- The use of disciplinary processes as an instrument of normalization and control in schools;
- The impacts of the PADs on the subjectivity of those involved;
- Alternatives and possible reformulations for the current disciplinary models.

INTERPRETATION OF RESULTS

The data reveal that the administrative disciplinary process, although supported by principles of legality, adversarial and ample defense, often operates as a mechanism of coercion and control. Michel Foucault's perspective on disciplinary power is essential to understand how these processes are inserted in a logic of surveillance and regulation of school behaviors. The occurrence book, for example, is a device that records and categorizes deviations, functioning as an instrument for subjectivating indiscipline.

The disciplinary processes analyzed also demonstrate a tendency towards the bureaucratization of interpersonal relationships in the school, hindering dialogic mediation and reinforcing punitive dynamics. This phenomenon results in psychological and social impacts for both employees and students, increasing levels of tension and insecurity in the educational environment.

DISCUSSION OF TRENDS

The PADs in public schools seem to reflect a disciplinary heritage strongly structured in the normalization of behaviors. The predominance of punitive logic highlights the difficulty of the educational system in adopting alternative practices, such as conflict

mediation or the use of Conduct Adjustment Terms (TAC). Some studies suggest that such alternatives could reduce the judicialization of school conflicts and make the processes more pedagogical.

Another trend identified is the influence of neoliberalism on the disciplinary management of schools. The search for efficiency and productivity in the public sector results in the intensification of control mechanisms and the individualized accountability of the agents involved. This reinforces a governance model based on risk management and continuous monitoring of subjects, expanding the scope of disciplinary power.

CRITICAL CONCLUSION

Administrative disciplinary processes in public schools show a paradox: if, on the one hand, they seek to guarantee institutional order and justice, on the other hand, they are instruments for the perpetuation of disciplinary power and the standardization of school bodies. The rigidity of the PADs often prevents more democratic and formative solutions, resulting in the intensification of conflicts and the alienation of those involved.

Given this, it is necessary to rethink the current disciplinary structure and consider approaches that privilege dialogue, mediation and the collective construction of solutions. A change in this direction could minimize the negative effects of the punitivíssimo and promote a fairer and more inclusive educational environment.

REFERENCES

1. Adorno, T. (1995). **Education and emancipation**. São Paulo: Paz e Terra.
2. Aliane, A. S. A. (2019). **Education and biopolitics in Michel Foucault** (Master's dissertation, University of Montes Claros, Montes Claros, MG, Brazil).
3. Almeida, N. S. R. (2021). **The production of school (in)discipline: Normalization, subjectivation and control** (Doctoral dissertation, Federal University of São Carlos, São Carlos, SP, Brazil).
4. Barbosa, R. D. (2022). **Disciplinary administrative law: Between the empire of special subjection to constitutional legality** (Master's dissertation, Federal University of Santa Catarina, Florianópolis, SC, Brazil).
5. Barros, A. J. P., & Lehfeld, N. A. S. (1990). **Research project: Methodological proposals**. Petrópolis, RJ: Vozes.
6. Barros, G. M. (2020). **"There is a need to know that subordinates also have the right to be respected": Disciplinary proceedings against São Paulo teachers (1887-1896)** (Master's dissertation, Federal University of São Paulo, Guarulhos, SP, Brazil).
7. Bogdan, R., & Biklen, S. K. (1991). Qualitative research for education. In **Qualitative research for education** (pp. 243–260). Boston, MA: Allyn and Bacon.
8. Candiotto, C. (2017). Revolution, politics and subjectivation in Michel Foucault. In M. Rago & S. Gallo (Eds.), **Foucault and education** (pp. XX–XX). Belo Horizonte: Autêntica.
9. Cappelletti, M. (1988). **Access to justice** (E. G. Northfleet, Trans.). Porto Alegre: Fabris.
10. Carvalho, L. de O. (2020). **On the disciplinary society of control: Protagonisms and paths of education in the face of changes in the regime of power** (Master's dissertation, University of Sergipe, São Cristóvão, SE, Brazil).
11. Castro, E. (2016). **Foucault's vocabulary: A journey through its themes, concepts and authors** (I. M. Xavier, Trans., 2nd ed.). Belo Horizonte: Autêntica Editora.
12. Cavalcanti, Á. de S. (2014). Epistemological views and educational research in the training of science teachers. **Educação e Pesquisa*, 40*(4), 983–998. <https://doi.org/10.1590/S1517-97022014091508>
13. Charlot, B. (2006). Educational research between knowledge, policies and practices: Specificities and challenges of an area. **Brazilian Journal of Education*, 11*(31), 7–18. <https://doi.org/10.1590/S1413-24782006000100002>
14. Costa, C. G. da. (2005). **The constitutional principle of adversarial and full defense in the disciplinary administrative proceeding and the principle of legal certainty** (Master's

dissertation, Pontifical Catholic University of São Paulo, São Paulo, SP, Brazil).
Retrieved November 17, 2021, from
<https://tede2.pucsp.br/bitstream/handle/8403/1/Cicero%20Germano.pdf>

15. Costa, M. V. (Ed.). (2002). **Investigative paths II and III**. Rio de Janeiro: DP&A.
16. Cunha, T. D. da. (2022). **Conflicts and resistance of São Paulo teachers appointed by disciplinary administrative processes** (Master's dissertation, Pontifical Catholic University of São Carlos, São Carlos, SP, Brazil).
17. Deucher, R. A. (2021). **Human rights and prisons: The pedagogical processes of the detainee** (Master's dissertation, Regional University of Blumenau, Blumenau, SC, Brazil).
18. Fernandes, A. R. A. R. (2021). **Efficiency and transparency in the conduct of disciplinary processes in federal universities** (Master's dissertation, Federal University of Goiás, Aparecida de Goiânia, GO, Brazil).
19. Ferrajoli, L. (2006). **Law and reason: Theory of penal guarantees** (N. Bobbio, Pref.). São Paulo: Editora Revista dos Tribunais.
20. Foucault, M. (1999a). **History of sexuality: The will to know** (M. T. da Costa Albuquerque & J. A. G. Albuquerque, Trans., 13th ed.). Rio de Janeiro: Graal.
21. Foucault, M. (1999b). **Microphysics of power**. Rio de Janeiro: Graal.
22. Foucault, M. (2002). **Truth and legal forms** (R. C. de Melo Machado & E. J. Moraes, Trans.). Rio de Janeiro: NAU Editora.
23. Foucault, M. (2008). **Birth of biopolitics**. São Paulo: Martins Fontes.
24. Foucault, M. (2012). **Discipline and punish: The birth of the prison** (R. Ramalhe, Trans., 40th ed.). Petrópolis, RJ: Vozes.
25. França, V. da R., & Moraes, G. N. F. S. de. (2022). The administrative disciplinary proceedings based on the theory of sanctioning process. **Journal of Administrative Law and Infrastructure (RDAL)*, 5*(19), 73–99. <https://doi.org/10.12957/rdai.2022.413>
26. Gadelha, J. J. (2022). **The maximum effectiveness of the adversarial procedure and the broad defense in the federal disciplinary administrative proceeding in search of zero nullity** (Master's dissertation, Brazilian Institute of Teaching, Development and Research, Brasília, DF, Brazil).
27. Habermas, J. (1989). **Moral conscience and communicative action** (G. Almeida, Trans.). Rio de Janeiro: Tempo Brasileiro.
28. Magalhães, S. A. B., & Nascimento, R. B. do. (2021). School practices and disciplinary power: Report of a participant observation in the light of Michel Foucault's thought.

Interinstitutional Journal Arts of Educating, 7(2), 1184–1202.
<https://doi.org/10.12957/riae.2021.63460>

29. Meireles, H. L. (2002). **Brazilian administrative law**. São Paulo: Malheiros.
30. Morisini, M., Santos, P. K., & Bittencourt, Z. (2021). **State of knowledge: Theory and practice**. Curitiba: CRV.
31. Mukai, T. (2008). **Systematized administrative law** (2nd ed.). São Paulo: Quartier Latin do Brasil.
32. Nunes, N. A. (2000). The school and the practices of disciplinary power. **Perspectiva*, 18*(33), 135–154. <https://doi.org/10.5007/%25x>
33. Pacheco, A. (2021). **Application of the principles of the new public service of the disciplinary procedure based on a case of the Permanent Commission of the Disciplinary Administrative Procedure of the Judiciary of Santa Catarina** (Professional Master's dissertation, Federal University of Santa Catarina, Florianópolis, SC, Brazil).
34. Pena Aguiar Marques, P. (2023). The generic permissive to the elaboration of substitute agreements in the disciplinary administrative proceeding to the detriment of the penalty of dismissal. **Virtual Notebook*, 1*(57). <https://www.portaldeperiodicos.idp.edu.br/cadernovirtual/article/view/7237>
35. Pereira, V. H. D. S. S., & Paulo, R. F. (2023). The (un)constitutionality of binding precedent No. 5 of the STF about the principles of adversarial and full defense in the disciplinary administrative proceeding. **Revista Mato-grossense de Direito*, 1*(1), 193–208.
36. Razaboni Junior, R. B., Lazari, R. J. N. de, & Margraf, A. F. (2019). Disciplinary administrative proceeding of Law 8.112/1990 and the cancellation of Binding Precedent No. 05 of the STF. **Journal of Administrative Law and Infrastructure (RDAI)*, 3*(10), 73–88. <https://doi.org/10.12957/rdai.2019.186>
37. Revel, J. (2005). **Michel Foucault essential concepts** (M. do R. Gregolin, N. Milanez, & C. Piovesan, Trans.). São Carlos: Claraluz.
38. Santos, A. C. dos. (2020). **Disciplinary administrative proceedings and their impacts on the health of public servants** (Professional Master's dissertation, Federal University of the Jequitinhonha and Mucuri Valleys, Diamantina, MG, Brazil).
39. Santos, R. B. da S. (2023). **Costs of investigative processes at the University of Brasília** (Master's dissertation, University of Brasília, Brasília, DF, Brazil).
40. Severino, A. J. (2009). Post-graduation and research: The process of production and systematization of knowledge. **Diálogo Educação Magazine*, 9*(26), 13–27.

41. Silva, E. (2023). *"Conduct Adjustment Term (TAC) in administrative management: A proposal for federal universities" (Master's dissertation, Federal University of Triângulo Mineiro, Uberlândia, MG, Brazil).
42. Silva, M. C. C. (2021). *The school occurrence book as an instrument of disciplinary power in the school from a Foucaultian approach* (Master's dissertation, Fluminense Federal University, Niterói, RJ, Brazil).
43. Stecanella, N. (Ed.). (n.d.). *Dialogues with education: The choice of method and the identity of the researcher* (1st ed.). Caxias do Sul: EDUCS.
44. Vacovski, E. (2019). *Good practices of public governance and analysis of disciplinary proceedings arising from moral harassment, established in the 2018/2019 biennium of the ITFPR* (Master's dissertation, Federal Technological University of Paraná, Curitiba, PR, Brazil).
45. Veiga Neto, A. (2017). Gloria victis. In M. Rago & S. Gallo (Eds.), *Foucault and education* (pp. XX-XX). Belo Horizonte: Autêntica.
46. Vilar, P. R. M. (2022). *Institutional security and violence: What the data reveal to us at the Federal University of Paraíba (UFPB)* (Master's dissertation, Paraíba University, João Pessoa, PB, Brazil).