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Sec. Research Graduate School Committee

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ERRATA

- Page 53 Delete at bottom of page – “in another development, this time influenced by feminist ideology during the 1980s”
- Page 72 Delete at bottom of page – “This system is designed to offer a more efficient, less traumatising response for families”
- Page 80 Delete at bottom of page – “follows: exploring issues and solutions people present; Child welfare services have always been motivated by what is referred to as ‘the best’ - and top of p 87 – “4. The social actors who play their various roles in the identification and interpretation of the condition, and in applying the intervention methods. (Jamrozik and Norcella 1998:79)”
- Page 91 Delete – “theory will be discussed in the following chapters.”
- Page 128 Final sentence ‘socia’; should read ‘social’
- Page 139 Last line ‘sates’ should read ‘states’
- Page 158 In quote from Habermas at bottom of page the word “ate” should read “are”
- Page 160 Line 14 “derivation” should read “derivation”
- Page 211 Second line of the conclusion “analysised” should read “analysed”
- Page 243 Line eight, “expericene” should read “experience”
- Page 266 Line five, “*Oppresse,d*” should read “*Oppressed*”
- Page 275 In footnote 1 “asimilar” should read “a similar”
- Page 276 In line six from the bottom, substitute “We can what is important” with “We can hear what is important”
- Page 309 “Tominson” should read “Tomison”

IN THE BEST INTERESTS OF WHOM?

Child Protection and Systematically Distorted Communication

Submitted by

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A thesis submitted in total fulfilment
of the requirements for the degree of
Doctor of Philosophy

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Abstract

Over the past few decades the child protection system – in Victoria at least – has suffered many crises. Attempts to address these crises are as numerous as the governmental enquiries set up to deal with them. Yet nothing seems to change. There are still frequent media reports of something or other going wrong with the system. Invariably, it is the clients of the system – the children and their families – who bear the brunt of these failures.

The child protection system is informed colloquially to act “in the best interests of the child”. The focus of this thesis is an analysis of the child protection system using the work of German sociologist Jürgen Habermas in order to test this adage. Germane to this objective is Habermas’s theory of the relationship between the lifeworld and the system and the subsequent “colonisation” of the lifeworld by modern social systems. Habermas suggests that colonisation leads to ideologically influenced distortions in communication between people. These distortions result in system imperatives, such as power and money, disturbing lifeworldly concerns such as mutual understanding and social cohesion. Thus, in the child protection context, the interests of the child protection system, contrary to the adage, take precedence over those of the child.

Rather than being a totally theoretical work, the thesis seeks to “ground” Habermas’s theory in the day-to-day practice of child protection. To achieve this a hypothetical child protection situation is used as a point of reference throughout the discussion of Habermas’s

theory to demonstrate its applicability to concrete situations. To further authenticate the theory an analysis of an actual experience of a child protection client with the system is presented as a case study to illustrate the effects of lifeworld colonisation by the system. In addition, to illustrate the effects of the “uncoupling of the lifeworld from the system” an analysis of the codified child abuse risk assessment process is presented.

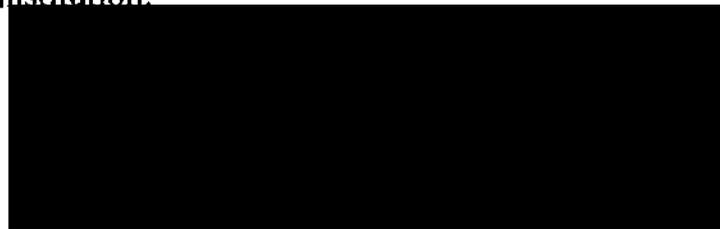
Finally, a suggestion of a new perspective informing everyday child protection practice, based on Habermas’s notion of emancipatory self-reflection, is discussed. This is followed by a suggestion for further research.

Statement of Authorship

Except where reference is made in the text of the thesis, this thesis contains no material published elsewhere or extracted in whole or in part from a thesis presented by me for another degree or diploma.

No other person's work has been used without due acknowledgement in the main text of the thesis.

This thesis has not been submitted for the award of any degree or diploma in any other tertiary institution.



Acknowledgements

The motivation for attempting this thesis came from the victims of the child protection system – the parents and children – whose voices are seldom heard because the ideological prejudices of the system cover them into silence. It is in an attempt to give them a voice – albeit second hand – that this thesis has been written. Therefore, I sincerely thank those parents who courageously placed their trust in me by sharing their painful stories. I hope that my work will provide the first step in bridging the system/lifeworld divide so that the instructions in child protection training manuals to “treat clients with respect and dignity” will actually become a reality. What follows in subsequent pages is dedicated to you.

However, I could not have completed this thesis without the help of a number of people and to whom thanks are due. Firstly, Associate Professor Harry Ballis, Head, School of Humanities, Communications and Social Sciences, who not only provided me with encouragement and advice but also made resources available to me to enable me to successfully complete the thesis. Also, to Ms Louise Bye, who guided me through the intricacies of correctly formatting the thesis.

There were a number of occasions when I had despaired of completing this thesis and was confused as to where it was heading. For help in inspiring and re-motivating me I thank Dr John Solas. John was both encouraging and challenging. His belief that this work would be “ground breaking” and necessary, and his belief that I would be able to do it,

inspired me. Also his challenging discussions of Habermas's concepts gave me a deeper appreciation of this great scholar's contribution to understanding human activity and rekindled my enthusiasm.

Since Dr Solas's departure I have received valuable support from Associate Professor Peter Murphy who has provided valuable editorial assistance and ensured that the work is theoretically sound and is appropriately presented. Also, I would like to thank Ms Julie Murray of the Centre for Teaching and Learning Support for her assistance in proof reading the final draft.

Acknowledgement of my academic debt would not be complete without reference to Professor Jürgen Habermas whom, although I only know him through his work, has increased my knowledge and appreciation of the intricacies of human intersubjectivity.

Finally, but of no least importance, my loving thanks to Lin whose patience, encouragement and belief in the project, and who endured my absences for hours on end whilst I was ensconced in front of a computer, ensured that home life continued with some degree of normalcy, enabling me to focus on the task at hand.

Chapter 1

Child Protection: An Oxymoron?

Some years ago, when working as a Family Counsellor at a community based, regional child and family welfare centre I was engaged in conversation with a 14 year old lad who was a client of the child protection system. We were discussing some difficulties he was having with his family, particularly his father. As I was aware that he was a client of the child protection system I suggested that he mention the problem to his allocated child protection worker. His reply was to the effect: "No way! She would only make matters worse". This reply saddened but did not surprise me; here was a young person in need of care and protection, yet who did not trust those whose job it was to protect him.

This incident, and others I had encountered during my work with referred child protection clients, raised in my mind the effectiveness of the child protection system. It appeared, from my observations that the system did as much harm as it was designed to prevent. My "gut feeling" was confirmed when I read in a major report (Auditor-General 1996: 129, emphasis mine).into the Victorian child protection system that:

The overall effect...is that *preventable* harm has been done to children as an indirect result of policies or programs designed to provide care and protection. In other words, what the welfare industry generally refers to as "system abuse" of children has in fact occurred in Victoria

Systemic failure

In 1996, the Auditor-General of the Victorian State Government conducted, on his own initiative, an audit of the operation of the child protection division of the Department of Human Services (DHS) and the Department of Justice, in particular the Children's Court. The Auditor-General saw the audit as "making an important contribution towards assisting the Department of Human Services and the Department of Justice in overcoming the existing serious impediments to effectively protecting and providing the necessary support to the children of this State" (Auditor-General 1996: vii). The report (Auditor-General 1996: 3) identified many significant weaknesses in key elements of DHS protective services which adversely impact on its ability to effectively address the concerns of children. These weaknesses included:

- Poor investigation of notifications, including the closure of many cases which warranted further investigation;
- Ineffective case management, particularly in terms of low quality draft case plans presented to the Children's Court and shortcomings in final case plans;
- Placements of children which are inappropriate to meet their needs;
- The absence of a cohesive working relationship with Victoria Police in adequately protecting children, particularly adolescents;
- Failure to cater for the long-term needs of many children in the care of the State;
- Lack of psychiatric services and therapeutic treatment for severely disturbed children and young people; and,
- Excessive delays in finalising and reporting to the Parliament on enquires into the deaths of children requiring protection.

Focussing on the effectiveness of the placement and support system, the Auditor-General highlighted the consequences of the inadequacy of the system for children in the care of CPS including:

- first-time children being placed with children of different age groups or children exhibiting severe emotional and behavioural problems;
- instability to children due to constant placement movements;
- sibling groups being separated;
- dislocation of children from family, friends, schools and other services; and, 'contamination' of children due to the adverse influence of children with whom they are placed - who may have been in the system a long time with histories of problem behaviour.

Notwithstanding the above, a story appeared in the Melbourne daily newspaper, *The Age*, in October 2000 with the front page headline "Crisis in State Child Protection". The story, which was the result of some investigative journalism into the child protection system, related how hundreds of abused children, including infants under two years, are leading itinerant lives, shuffled between carers with no permanent home, because of a breakdown in Victoria's child protection system. The story contained a statement from an executive officer of a non-government foster care agency (Davies 2000: <http://www.theage.com.au/insight/brokenlives/index.html>) as an illustration of the state of the system:

Do we have kids coming in with no substance abuse problems and leaving with a drug problem? Yes. Do we have girls coming in who are not sexually active and leaving a year later working on the streets? Yes.

This anecdotal comment of the present situation is an echo of the comments of the Auditor-General when his research of 1,297 children and young people aged from 10 to 17 years who were under guardianship and custody orders found that:

274 children or around 21 percent of the total had been formally processed by the Victoria Police during this period, a rate many times in excess of the average incidence of criminal activity among adolescents in the community. Around 34 percent of the 274 children were multiple offenders, with more than four separate reports to Victoria Police. Of particular concern was that the older the children, the longer they remained under protective care the more likely the incidence of criminal behaviour. (Auditor-General, 1996: 266)

It seems nothing has changed since the time of the Auditor-General's investigation.

Further enquiries have been conducted, culminating in the *Protecting Children* (Allen Consulting Group 2003) report in November 2003. If anything, the situation appears to have become worse. Yet the situation has always seemed to have been bad. During the two decades prior to the Auditor-General's investigation, two official inquiries into the child protection service had been conducted. (Child Welfare Practice and Legislation Review 1984; Fogarty 1993). These enquiries were, by and large, studies of organisational structures - with the intent of examining the effectiveness of the child welfare and protective services so that any weaknesses in procedure and practice could be rectified, and good procedure and practice developed. All three of these investigations have made numerous recommendations aimed at improving the situation but, as will be illustrated, there has been no improvement.

Consequences of systematic failure at the "grassroots" level

In my experience of working within the non-government child welfare sector for a few decades I have felt akin to a dog chasing its tail. My work with the families referred by the child protection service was a source of frustration - for every family that receives 'help',

there are many others that slip through the system and are abused by it. To illustrate, I shall continue the story of the young lad mentioned in the opening paragraph.

In this instance, the referral to the child protection system was made by the foster care section of the agency where I was employed. The referral arose from a crisis within the boy's family. It appears the children of the family had recently been returned to the care of their mother after spending some time in foster care, a situation that was apparently a frequent experience for the children. In this instance, the mother had entered a relationship with a man to whom the children had taken an instant dislike. The crisis revolved around the children not accepting this man exerting his authority as a 'father'. The mother's initial attempt to deal with the problem involved procuring the aid of a former intimate partner for whom the children had some respect. He had to travel from another part of Victoria to the family's home town. The matter was not resolved; in fact, the second man ended up in the police lock-up (he was later released but immediately returned to his home without further involvement with the family). The family has numerous issues with which to contend. The mother was, herself, as a child, in an abusive parental relationship which had necessitated Child Protection Service (CPS) involvement; she had a long-term history of alcohol misuse; she had had a series of abusive relationships with men; and then the man with whom she currently lived was of aboriginal ethnicity and someone against whom the older adolescent children held racist attitudes. The oldest child, a female, was engaging in promiscuous sexual practices, and the next oldest, the lad in question, has been engaged in minor criminal activity. The CPS had returned the children to their home without enquiring as to whether the family's circumstances had changed since the initial risk assessment was conducted.

The situation is quite typical of situations faced by the CPS and non-government child welfare agencies. The manner in which this situation was handled illustrates the objectivist or technical approach to dealing with families. This approach 'objectifies' families - families become objects to be shunted from one situation to the next so that their 'problems' can be 'treated' or 'managed'. For instance, in the above account, the CPS returned the children to the parent without any consideration of the present family situation. The time of their period of care had elapsed so the CPS deemed they should go home. As soon as the crisis occurred, the CPS immediately placed the children back in the hands of the foster care workers. Not equipped to handle the family dynamics, these workers referred the family to me for a hoping for a 'quick fix', that is, a superficial addressing of the problem. Of course, there never was going to be a 'quick fix'. The needs of the system took precedence over the needs of the family. The best that could be done was to reach a position of stability in the short term so that long-term intervention could be undertaken which would involve the historical, social and environmental contexts being taken into consideration. However, that was not a consideration as far as the CPS was concerned

The context of child protection

Commenting on the British child protection system Cooper, Hetherington and Katz (2003: 22) explain how that system is culturally and historically shaped by several different but interrelated factors. The same applies to the situation in Victoria:

- an adversarial legal system and the strong emphasis in our legal culture on individual rights
- the idea of the welfare state, and the state in general, as something residual which is

only called in to intervene in private or civil life when things go wrong, or when there is a clear structural deficit in provision. To be a citizen does not entail feeling or believing that you are part of, or have any obligations towards the state. Participation is something which 'they' call on 'us' to engage in, or 'we' demand of 'them'

- the dissolution, weakening or individualising over recent decades of many of the layers of intermediate institutions in public life (trade unions, community associations, friendly societies, churches) which once organised and mediated civil society in its relationship to the individual, the family and the state. This has effected the nature of the institutions of child welfare and protection, which have themselves, at the same time, become over-legalised and informed by managerial discourse. A case in point is the agency for which I worked. Ostensibly an activity of one of the major churches, from which it initially derived the majority of its funds, it now relies mostly on government funding which 'purchases' its services in a competitive environment. The terms of the purchase dictate the operational and procedural style of the agency. The agency can no longer operate in its own way based on the perceived needs of its community but according to centralised demand from the state.
- The extremely troubled and controversial history of child protection services since at least the 1980s: the culture of public enquiries into child deaths and abuse scandals, allied to media reportage and the vilification of child protection professionals, has put the system on the defensive and sapped the confidence of those working in it

- the widespread growth of a culture of risk-aversion in the welfare state and society at large that has resulted in an institutionalised social preoccupation with performance monitoring, quality assurance and centralised policy control of professional standards and behaviour. As one observer commented, we are spending so much time weighing the pig, we have forgotten to feed it.

All of these factors, interacting in complex ways, often outside the control of policy makers, have resulted in a tendency to resort to law and procedures in child protection matters rather than mediation, negotiation or professional judgement. They have also led to the establishment of procedural institutions such as the child protection register and the child protection conference (Cooper et al. 2003). These factors have generated a system relatively closed to the possibility of relationship-based practice and institutional management in which negotiation, mediation and personal judgement are fundamental. Sadly, this was epitomised by the remarks of a middle manager of the regional child protection service (who wished to remain anonymous) in response to my advocacy on behalf of clients: "Child protection is a *process*, not a service". In other words, clients are 'objects' not 'subjects'.

Through my work with families I have frequently encountered situations that appeared contradictory. The parents referred to counselling or for admittance to a parent education program were characterised by the system (i.e. caseworkers, courts, schools etc) as deviant, yet to me they seemed more *like* me than *different* from me. I felt uncomfortable as I observed the adversarial relationship that exists between child protection caseworkers and the parents. I have difficulty reconciling the prevalent view of parents as malevolent (Parton 1995) with my own experience of them. In my experience most parents do not want

to deliberately harm their children and are mortified when they do. Mortification doesn't appear to me to be a quality of a malevolent person. I am also aware that many of the parents had themselves been abused as children and had never received help. I can't help but wonder if I, or anyone else, would behave differently had we been brought up under similar circumstances to those experienced by the stigmatised perpetrators. For, as Marx (1963: 15) explains:

Men make their own history, but they do not make it just as they please; they do not make it under circumstances chosen by themselves, but under circumstances directly encountered, given and transmitted from the past. The tradition of all the dead generations weighs like a nightmare on the brain of the living.

Making the passage to parenthood under such circumstances, they are unprepared to parent, frequently still being children themselves. Yet, they come to be viewed as perpetrators warranting prosecution rather than victims needing support.

The purpose of the thesis

Why does a situation exist where, after so many years of existence, the child protection system, still has not got it right? Why is it that policies and methods that have failed over many decades continue to be utilised? Could it be that the policies and methods have other objectives that are equally or more important than the solution to the problem of child abuse and the protection of abused children? Is the system's commitment to the children, or to the maintenance and legitimation of dominant values and interests? Does continuation of the existence of the institutions seem more important than the reasons for the existence of the institutions? In other words, whose interests are really being served?

In order to provide answers to these questions the thesis will focus on the relationship between communication and power as domination. Simply put, power is exercised in an organization when one group is able to frame the interests of another group in terms of its own interests. In other words, the group in power can provide the frame of reference for all organisational activity. This exercise of power is intimately connected with organisational sense-making, which in turn is largely delimited by the communication process. It is the purpose of this thesis to disclose the relationship between communication and power in an organisational setting; in this case, the organization being the Victorian Department of Human Services Child Protection System.

The thesis will focus directly on the relationship between communication and the production, maintenance and reproduction of organisational reality. It is argued that the relationship between communication and organization is mediated by the structure of power in the organization. Power interests frame the way in which organizations construct reality; communication functions to both construct this reality, and to reproduce the organisational power structure. In this sense, a reciprocal relationship exists between communication and the ongoing organisational power interests. The thesis will therefore focus not on a description of the surface features of the child protection system as can be seen in chapter three - this has been done many times - but rather will provide an in-depth explication of the relationship between organisational communication as ideology and the structuring of power interests. What should emerge is a view of the child protection system that recognises the pervasive effects of ideology and power on the production of the realities of the everyday practice of the process of child protection. The impetus for this perspective is derived from the critical tradition of contemporary social thought, in

particular the work of Jürgen Habermas. Habermas's work allows us to examine organisational cultures in terms of the mediation of social knowledge through power interests (Mumby 1988: 24).

The earlier comment by the middle manager describing child protection as a process and my observations of the grassroots consequences of systemic failure, led me to Habermas's notion of system and lifeworld - and the corresponding 'colonisation' of the lifeworld by the system. It appeared to me that this is what is occurring in the child protection system; that system imperatives take precedent over those of the lifeworld -with process being more important than people. Arguing that society must be seen simultaneously as system and lifeworld, Habermas (1987) defines the lifeworld as the realm of culture, personality, meaning and symbols, all of which form the basis of communication. People seek mutual understanding through the substantive reason embodied in speech and action. In contrast, action linked with instrumental reason works through the social system with its imperatives of power and money, causing an "uncoupling" (Habermas 1987:153) of the lifeworld from the system. This uncoupling, in turn, results in a form of communication called by Habermas (1970: 205-218) "systematically distorted communication."

Habermas (1984, 1987) further argues that responses to social and political problems are dominated by instrumental reason which seeks to 'colonise' all other modes of thought by its orientation to control the actions of others in the interests of efficiency and effectiveness. Blaug (1995: 425-426), however, explains that whilst instrumental reason may be applicable to a measurable world, where all elements are identifiable and variables controllable, it is wanting as a method for dealing with human activity, which does not

conform to these conditions.

When confronted with problems in the realm of human affairs, we instinctively reach for instrumentalism, partly because of its success in areas of knowledge where things are stable, measurable and separable, partly because we have come to see instrumentalism as being the *only* [original emphasis] kind of human reason.

The appropriation of instrumental reason within child protection has resulted in a number of bureaucratic practices, such as a large investment in procedural concerns; a reliance on case management systems; and surface rather than depth-oriented practice, with the latter being “linked to processing and classifying clients rather than promoting understanding of their actions” (Houston and Griffiths 2000: 5). The thesis will propose an alternative form of practice, which regards people as subjects not objects, also based on the theories of Habermas, which may lead to the development of trust between actors in the field of child protection. This mutual trust may then encourage the development of a form of practice likely to result in a more protective outcome for the children at risk.

Outline of the thesis

Following from this outline of the thesis, the next chapter will provide a background to the critical theory of Jürgen Habermas and the reasons why his work has been chosen as the theoretical basis for the thesis. It will also outline the critical theoretical method that will be used in this thesis.

Chapter three will provide an empirical/historical perspective of child protection. It will explain that previous research has addressed the problem of child abuse in two ways – those focussing on the individual as being solely responsible for the perpetration of child abuse; and those focussing on structural determinants of child abuse. Using the work of Habermas’s dual notion of system and lifeworld, this thesis will bring both of those

perspectives together, and will offer thereby a somewhat different approach to the analysis of child protection.

Chapters four and five offer an exegesis of Habermas's theories. In chapter four, the focus is on the nexus between the lifeworld and the system. In chapter five, the theory of communicative action and its associated discourse ethics are examined. In both cases the theories are grounded in a hypothetical child protection situation based on my extensive experience in the field.

In chapter six, some of the ideological influences on systematically distorted communication are discussed. The identified ideologies will be used to demonstrate how they inform child protection practice.

Chapter seven will offer a case study of systematically distorted communication using the narrative of an actual client of the child protection system. Habermas's validity claims associated with the "ideal speech situation" will be used to identify distortions in communication as they occur in the child protection system. This chapter is intended to demonstrate the effects of systematically distorted communication at the level of the life world.

Likewise, chapter eight is also intended to demonstrate the effects of systematically distorted communication; however, in this instance the focus is directed at the system. The child protection risk assessment process will be used to demonstrate the development of systematically distorted communication through management techniques.

Chapter nine will outline an alternative approach to child protection practice. This is based on the notion of self-reflection, which Habermas argues is a means of countering the influence of ideologically-based systematically distorted communication. The chapter

proposes the adoption of a form of critical listening which may aid in the self-reflective process, and bring about mutual understanding and the development of trust in child protection cases. This in turn may result in practices which will benefit the child.

Finally, chapter ten will offer a schematic model which encapsulates the work of Habermas illustrating how his theory can be used to facilitate emancipatory practice. Once again, the aim is that such practice that may bring about change in relationships between actors in the child protection system – and thereby, hopefully, lead to a safer and more secure outcome for children.

Chapter 2

Critical Theory as Research

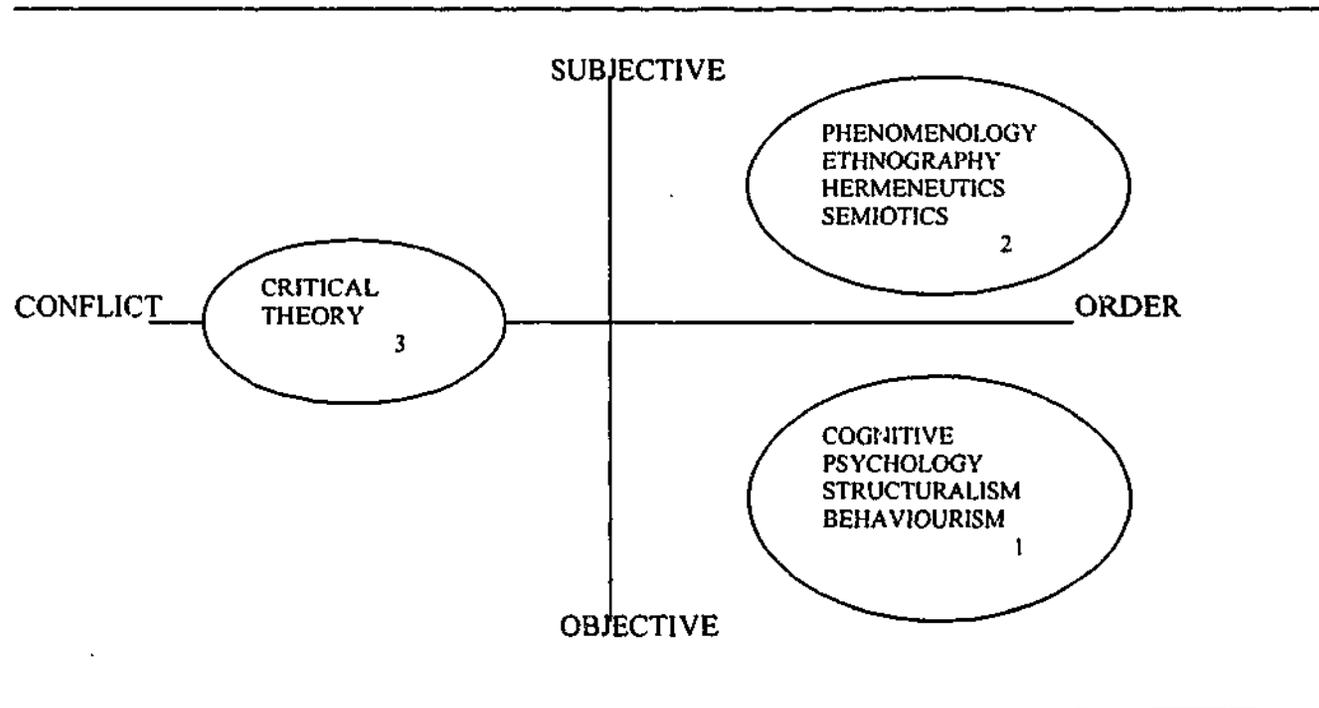
It is people who provide answers to problems, not theories. However, to help in problem solving, theory can provide the basis for analysis. Competent theories redirect us toward problems and issues which might otherwise be ignored by ideological or methodological distraction. Critical theory is relevant to the methodological problems associated with assessing planning, policy and administrative issues. As Forester explains:

The legacy of critical theory, and particularly Habermas's more recent work, challenges us to devise methods of investigation that are: (1) empirically sound and descriptively powerful; (2) interpretively plausible and phenomenologically meaningful; and yet (3) critically pitched, ethically insightful as well. (1993: 2)

Critical theory is most easily introduced by comparing it to existing perspectives. Figure 2.1 presents a cognitive map of alternative approaches to seeking knowledge. This map positions alternatives along two continua (Burrell and Morgan 1979). The subjective-objective axis focuses on fundamental assumptions made about the nature of reality. For example, extreme subjectivism holds that social reality is constructed on the basis of perceptions of individuals while extreme objectivism assumes that social reality exists as a concrete objective entity, which is independent of our perceptions (Burrell and Morgan 1979; Hudson and Ozanne 1988). The order-conflict axis focuses on views regarding social change, which range from regulation or 'order', to a radical change or 'conflict', stance (Dahrendorf 1959; Dawe 1970) The 'order' approach asks why society tends to hold

together rather than fall apart, whereas the conflict approach asks how human beings may be emancipated from structures that limit and repress their development.

Figure 2.1: Cognitive map of approaches to seeking knowledge



(Burrell and Morgan, 1979: 6)

Child abuse research and practice is presently dominated by objective-order paradigms (Jamrozik 1991; 1992; Jamrozik and Nocella 1998) represented in cluster 1 in Fig. 2.1. Most research adopts a psychological orientation that focuses on explaining and pathologising child abuse (Jamrozik and Nocella 1998). There appears to be very little research associated with the subjective-order paradigm (cluster 2 in Fig. 2.1) and critical theory (cluster 3). Critical theory stresses both the subjective and objective aspects of social reality but also seeks social change that will improve human life.

Adopting a conflict orientation (i.e. seeking to free people from constraining structures) encourages us to recognise that knowledge is inescapably tied to interests (Habermas 1972). According to critical theorists, the very aim of social science needs to be reflected on. For both positivists and interpretivists (clusters 1 and 2 in Fig. 2.1), the use of scientific knowledge is regarded as external to the knowledge itself (Habermas 1974a). This means that, after knowledge is produced, it is treated as neutral information that can be applied in a variety of ways, depending on the interests of the group applying the information. By separating the knowledge (facts) from how it is used (interests) conventional approaches rarely challenge the existing system; they tend to preserve the status quo. For critical theorists, on the other hand, who believe that science is not an activity removed from practical or moral action, the connection between theory and application are of central importance. Critical theory is a political and moral social science, designed to change society for the better (Fuhrman 1979).

The normative structure of critical theory - ontological assumptions

Nature of reality: Critical theorists question the positions of both interpretivist and positivist social science. For the purposes of this thesis, positivism refers to approaches that strive to apply natural sciences methods to social phenomena, whereas interpretivism refers to any approach that stresses a socially constructed reality that must be 'understood' (Murray and Ozanne 1991: 132). According to critical theorists, because positivists believe that a single, objective reality exists, they forget that our social world is historically produced and that we are the architects of our social world. Conversely, because they

believe that all knowledge about the world is subjective, interpretivists overlook the material dimensions of reality; that is, once created, social reality can influence individuals.

According to Jay (1973: 54), critical theory focuses on a 'force field' or constant interplay between subject (meanings) and object (social structures). Thus reality is socially produced through social interaction. However, once constructed it 'acts back'. Critical theorists specifically point to, and study, the tensions or inconsistencies between subject and object. These inconsistencies or contradictions are the source of change. At any moment, contradictions provide the impetus and direction for creating a better society: "The real field of knowledge is not the given fact about things as they are, but the critical evaluation of them as a prelude to passing beyond their given form" (Marcuse 1969: 145)

To elaborate, over time objective conditions of action tend to contradict the intersubjective meanings attributed to them (Comstock 1982). In other words, reality is enacted or socially produced, but in time these social structures become stubborn, resist social change, and thus become constraining. Unless reflection occurs, the meanings people attribute to social structures change more slowly than the structures themselves. Thus reality – the meanings given to social structure and the objective structures – is inherently contradictory. For example, in child protection, the motivating axiom is "the best interest of the child". As a consequence, the general public believe that child protection practices are informed by this axiom. However, numerous official inquiries have disclosed the harm being done to children within the child protection system. The interpretive understanding of the subject (that children are being protected) is contradicted by the behaviour and structure of institutions documented in official inquiries. Such contradictions or inconsistencies between subject and object are salient for the critical theorist. If people become aware that

their ideas about reality are not congruent with reality, this awareness may serve as an impetus for rational social development and change.

Nature of social beings: From a critical perspective, social actors are able to affect their social world but this influence is mediated through their historical totality (Murray and Ozanne 1991). In other words, because past social creations constrain us, we are not free-wheeling creators of our future. Critical theorists nevertheless assume that humans have the *potential* to become anything they wish since we can never know the fundamental nature of humans. Thus, when critical theorists reflect on the nature of social beings, *human potential* becomes the measure of all things (Fuhrman 1979).

Although reality can be considered a human product, it is often created "behind the backs and against the wills" of some individuals (Jay 1973: 49). People who own and manage technology, finance capital and the communication infrastructure generally have more of an impact on the creation of reality than does the average person. Furthermore, the more powerful sectors may often reproduce society in a way that solidifies their dominance. Whilst these are still a product of will, they are the results of human acts that create institutions/systems, that – in contrast – can supercede the will of the individual.

Terminal goals: Consistent with its ontology, critical theory begins with two value judgements (Marcuse 1964: x). First, human life is worth living. Second, human life can be improved. According to Jay (1973), critical theory is one more attempt to bring Greek political experience (democratic free speech) together with Greek philosophy (reason), thus, the terminal goal for critical theory is a form of social organisation that makes possible freedom, justice and reason.

Epistemological assumptions

Knowledge generated: The kind of knowledge that is legitimated as 'scientific' varies a great deal depending on the approach. Positivists, who focus on revealing underlying social regularities or 'laws', generally do not question social reality. In their view social structures are (more or less) given – or, in other words reified, treated as objects, independent of the social actors who created them. The prototypical critical theory view is that people are alienated from their creations - and are unable to see themselves as actors capable of changing those social structures that make up society. Interpretivists, like positivists, also tend to support the status quo. They, by and large, take a non-judgemental stance – one that assumes that all groups and cultures are equal. Consequently, they offer no way to envision a better society (Fuhrman and Snizek 1980) – or provide the creative foundations for it. Over time, both of these approaches to social science generate knowledge that becomes an integral part of the existing society instead of a means of critique and renewal (Landmann 1977).

Critical theorists, on the other hand, first form an understanding of the present historical formation, then strive to move beyond this understanding to reveal avenues of change that are immanent in the present order. Changes will be possible if contradictions are revealed between the interpretative understanding of the subject and the historical-empirical conditions of the object (Comstock 1982). In this way, the knowledge generated by critical theory is forward looking (recall Marcuse's second value judgement that human life can be improved), imaginative (according to Adorno [1973], one must not only see the old in the new, but also the new in the old), critical and unmasking (Habermas 1972, 1974, 1984, 1987 suggests that ways of communicating or social structures that contradict general

symmetry need to be critiqued), and practical (according to Horkheimer [1972] critical theory mediates theory and practice).

An excellent example of critical knowledge is Freire's (1972) work on teaching illiterate adults in Latin America. According to Freire, a historical-empirical understanding of the education system reveals a 'banking concept' of education: an 'all knowing' teacher deposits knowledge into the students who are empty vessels. Those students who meekly accept the knowledge are the 'better' students. Such an educational system is oppressive because it does not teach students to inquire actively about the world. It produces a passive population that serves the interest of the existing social order. Here, the status quo needs individuals to accept and adapt to the existing conditions. Within this system, students are blind to the educational interest and inaccurately see themselves as acting freely.

Freire (1972) suggests that education should be a 'problem posing' activity that can overcome the one-way teacher-student relation by making each individual both teacher and student. Only then can either see themselves as a conscious being able to act and change the world.

In problem-posing education, men (*sic*) develop their power to perceive critically *the way they exist* in the world *with which* and *in which* they find themselves; they come to see the world not a static reality, but as a reality in process, in transformation (Freire 1986: 70-71, original italics).

Social actors transform their world first through reflection and then through action, a function known as *praxis*. Freire's notion of *praxis* will be discussed in more detail in a chapter nine.

View of causality: Social actors are influenced by constraining social structures; however, the influence of social structures is mediated by actors' meanings and understandings. Prediction of social behaviour may be possible if these meanings are stable

(Comstock 1982). This view of causality illustrates critical theory's ontology. Humans are confined by social structures, which are real, independent and measurable (determinism). At the same time they are the architects of these social structures (voluntarism). Furthermore, such causes and effects can only be understood relative to the historical totality from which they emerged.

It is the inconsistencies between subjective understandings and historical-empirical conditions that directly underlie the critical theorist's view of causality. This view is rooted in their concept of social change. They propose that - through reflection - participants are able to identify constraints on the general symmetry: that is, conflict in the social condition. These "constraints" in Habermas's interpretation, take the forms of distorted communication (Habermas 1987). Constraints point to contradictions between meanings and social conditions - that is, contradictions between symmetrical values and the motives of different stakeholder groups, authority, dogma, tradition, bounded rationality, myth, rules and so on. Dialogue or critical discourse reveals the constraints to the groups who are constrained. In time, this exposure may lead to social tension and reform. This reconstruction permits a nearer approximation to social symmetry - or in Habermas's formulation of this, to the ideal speech situation (Habermas 1975). The resulting new organization of society would facilitate critique since society is more symmetrical, discourse is freer and more open. Reflection must, nevertheless, remain an ongoing process.

Research relationship: From a critical theory perspective, one cannot separate the social organisation of knowledge production from knowledge itself. Social scientists are involved in the creation of social conditions; thus, their research is influenced by political action and vice versa (Comstock 1982; Sewart 1978). The researcher cannot be divided into

two beings: a non-political, scientific theoriser and a political, philosophical participator. Critical theory holds that, because scientific theorising is inseparable from political action, the researcher should take into account who benefits from the research. Research should be emancipatory - designed not only to reveal empirical and interpretative understanding but also to free social actors who are constrained. Researchers should move beyond mere observation of subjects or participation in the informant's social reality and attempt, through dialogue, to reveal underlying constraints, thereby motivating informants to engage in conscious political action (praxis). Simply put, the purpose of critical research is to make life better for the social actor, or in the case of this research, to lead to an improvement in child protection practice.

A method for critical research

Critical research explores concrete, practical problems in everyday life. It is the ongoing, daily struggle of real men and women that interests the critical researcher, not abstraction. In the initial stage of research, a practical problem is selected, then all groups and individuals who are affected by the circumstances surrounding the problem are identified. For the purposes of this research, clients of the child protection system and the everyday practice of child protection workers - informed by policies and procedures - have been identified as the affected parties. Research is broken down into five steps - the interpretive, the historical-empirical, the dialectical, the 'awareness' self-reflective phase and, finally, praxis.

The interpretative step: From a critical perspective, social problems result from contradictory interests and differences in power. This situation leads to social structures and

processes that are constraining to some groups and beneficial to others. The first step in a critical research process is to develop an interpretative understanding of each stakeholder's view of the situation since people's behaviour can only be understood in the light of their specific interests. By grasping the social actors' view (i.e. their motives, perceptions, interests and intentions) the researcher hopes to understand social action. In many ways, this understanding is similar to the understanding interpretivists seek; however, the critical researcher regards understanding as just the first step toward identifying opportunities for change and social action. This step is manifested in chapter one where a description of the current state of child protection practice was discussed .

The historical-empirical step: Social reality includes not only the intersubjective understandings of actors (i.e. the subject) but also the material forces that may constrain social action (i.e. the object). Thus, the second step in the critical research process is to grasp the historical-empirical development of any relevant social structures and processes that have determined or constrained the intersubjective understandings. In other words, an attempt is made to understand the concrete context in which the ideas of social actors have developed. It is only when social actors see how their own social conditions were constructed in the past – or even more fundamentally, that they were constructed –are they able to realise that they create their own future structures. This realisation is an essential step toward freedom and change. This step is reflected in chapter three where the concrete, material, sociohistorical conditions regarding child protection will be discussed. The purpose of such a discussion is to grasp the socially constructed reality that exists separately from and influences the perceptions of social actors. Once the social actors themselves understand the objective social conditions, they may be able to change them.

The dialectical step: In step three, the output from the previous three steps is combined in a single analysis. By comparing the social actor's intersubjective understanding to the historical-empirical conditions, the researcher looks for inconsistencies and contradictions that may have arisen because intersubjective understandings evolve slowly and sometimes are inconsistent with objective social conditions. By taking a critical, dialectic approach the researcher attempts to understand the inconsistencies between the objective social conditions and the intersubjective meanings. Here, it is the difference between subject and object that is of interest. The revealed contradictions are elaborated and any group that is constrained by the contradiction is identified. This step is manifested in chapters seven and eight where current child protection policies and practices will be analysed using narratives of clients experiences of the system and a discussion of child protection risk assessment procedures. Habermas's concepts of the ideal speech situation and discourse ethics will be the analytical devices that will underpin the analysis.

The awareness step: In step four, the critical researcher hopes to engage the social actors in dialogue to help them see their current situation differently, open up alternative ways of acting, and initiate programs of action. Although the researcher can reveal alternative paths, the social actors must freely chart their own course. While researchers can foster awareness in variety of ways, an obvious approach is through some form of educational program (using dialogue). However, other strategies could prove equally, if not more effective in making people aware and willing to get involved: essays, plays novels, movies, and satires. Chapter nine will provide the forum for a discussion as to how awareness may be achieved.

The praxis step: As a final step in the research process, the researcher participates in a theoretically grounded program of action that is designed to change social conditions and create a better society. For a critical theorist, application is the ultimate test of a proposition. Having identified a contradiction, the theorist must envision new unconstraining social conditions achievable through political action. Such political action must focus on underlying interests, specifically the conflict resulting from contradictory interests. Since researchers cannot produce neutral knowledge, its application should explicitly reveal who benefits from the social construction of contradictory interests. Finally, the researcher assumes a perspective of those groups who do not benefit from contradictory interests because critical theory is an emancipatory science aimed at improving life for those who are constrained. This step will form the basis for a discussion of an alternative paradigm for child protection in chapter ten.

Habermas's critical theory

Habermas's critical theory enables us to overcome the disjunction between macro and micro research strategies. It also enables us to study meaningful action as it is systematically staged and structured. Therefore, within institutions and organizations, we can use theory to assess not only the contextual, meaningful actions of the institution's or organisation's members but also the institutionally resisting or maintaining character of those actions as well. Likewise, in the study of policy and practice procedures, we can better understand the performative qualities of institutional and organisational processes and texts in terms of broader structural questions of power, class, and ethnicity. As a consequence, Habermas's critical theory provides a fertile sociological formulation that

allows for the exploration of the political implications of practice in powerful ways. The ways in which practitioners formulate and reformulate problems can be investigated. It makes sense to ask what particular actors are after and how they may think strategically about seeking their ends. The analysis of communicative action allows for the investigation of how practitioners satisfy a complex host of goals, values, commitments and obligations, yet, at the same time, reproduce their relationships and senses of self. The understanding of policy and practice following an analysis of communicative action additionally allows for the exposure of issues that political-economic structures otherwise would bury from public view, and for the opening and raising of questions that otherwise would be kept out of public discussion.

As a critical theorist, Habermas has affirmed that one of the principal aims of critical theory is to inform the practice of those involved in struggles for emancipation. It is "an emancipatory philosophy of history with practical intent" (Bohman 1985: 331) Habermas argues that a critical theory should provide knowledge upon which participants in a discourse can draw on to assist them in the process of reaching understandings among themselves about their common situation. Theories "are designed to enter into communicative action" (Habermas 1974: 39), thereby assisting, but not replacing, the process of critical reflection among participants. A critical theory should aspire to have input into practical discourses without conspiring to circumvent such discourses or determine their outcome. By contributing in this way to participant's efforts to reach understanding amongst themselves, theory may have consequences for practice.

When someone correctly interprets an unclear situation, he or she not only has the success of advancing just a bit towards the truth, but may also influence a self-understanding which in the long run helps determine political orientations (Habermas 1992: 89).

For Habermas, the connection between theory and practice is neither simple nor direct. Instead he speaks modestly of a "theory of society conceived with a practical intention" (Habermas, 1974a), and characterises his work as a contribution to "a social science which should be capable of a critical analysis of late capitalism with practical consequences" (Habermas 1974b: 57).

The theory of communicative action focuses attention on two central features of contemporary social life. The first is the complexity and significance of what is achieved in everyday communicative action. As Forester (1992) argues, Habermas's theory sensitizes us to the extraordinary work accomplished through ordinary communicative interaction, such as establishing and reproducing patterns of belief, consent, legitimacy, status, identity, and perception. It thus gives us some insight into what is involved in concrete or actually existing situations of interaction "Habermas's analysis of the dimensions of communicative action can help us empirically to explore just how complex, how contingent and how rich, social and political actions are" (1992: 49). Accordingly, as Forester (1992: 52) notes, critical theorists who apply the theory of communicative action are led to investigate how, in a concrete situation, communicative interactions work to maintain or alter the "patterns of social action in which investments are made, identities are recognised, normative sanctions are established and beliefs and world views are formed".

The second central feature of social life identified by the theory of communicative action is the tendency for communicative activity to be disrupted as a result of its becoming increasingly ordered, controlled and regulated by the economic market and the administrative system. Habermas's thesis is that the market and bureaucracy are ill-equipped to take on the coordination of the lifeworld functions of cultural reproduction,

social integration and socialisation: these activities should be coordinated through the unconstrained communicative actions of citizens. The colonisation of the lifeworld by market and bureaucracy results in social pathologies such as alienation and anomie. Habermas's theory sensitises us to the ways in which interferences in the communicative actions of citizens by crisis-prone systems distort and damage their attempts to generate from within 'as a community', the beliefs, norms, interpretations and rules by which people live. On this basis, the general goal of critical theory in general is to bring attention to concrete instances of such interference. According to Forester (1985), the theory of communicative action sets the stage for an empirical analysis that exposes the subtle ways that a given state, economic or social structure function to systematically exclude citizens from decision-making, and to restrict public political argument, participation and mobilisation.

Tasks of research

Habermas gives us the beginnings of an analysis of the systematic distortions of communication. He sets this out in terms of power, ideology and organisation. He also provides us with the practical tasks to expose, challenge, clarify and illuminate possibilities. He helps us work toward communicative action, free from unnecessary distortion and domination. Distorted communications, interactions shaped by existing power and ideology, are commonplace (Forrester 1992). This is why Habermas seeks to clarify what communication free from domination – i.e. open communicative interaction - presupposes and requires, so that a normative basis can be found for evaluating existing communicative situations. As Forester (1993: 56) poses:

If communication free from unnecessary distortion were not possible, how could anyone suppose that a claim that a program is inadequate, or that a community is undeserved, or that a policy is repressive, could ever be communicated well enough to be understood to be true?

The practical critique of systematically distorted communications becomes the basis, then, for visualising a democratic analysis of policy and practice. Habermas (1979, 1984, 1987) uses the ideal of pure communicative action, free from the constraints of external power and ideological structures, to provide the counterpoint to any simple acceptance of the communication structures and processes we now have. In this respect, his work calls for the continual exposure of unnecessary distortions in communications and resulting unequal opportunities for debate, argument, and criticism of prevailing ideological beliefs and rationalisations. Such exposure means stressing the uncertainties of existing policy, examining the false promises of others (i.e. politicians and bureaucrats), warning of unmet needs and inadequate services or budgets, and the continual effort to prevent illegitimate structures of power from developing further.

As social beings, actors shape each other's attention to the world and expectations of it. When we engage in such action we make both content and context claims; we communicate by saying something, and, when we do, we do so in a particular social or institutional context. Habermas (1984) argues that such action is never guaranteed to succeed. When communicative action, that is, action aimed at reaching understanding, breaks down, two options arise. Actors may either give up the attempt at mutual understanding and cooperative interaction or perhaps resort to coercion, or they may step aside from action to engage in 'discourse' in which they may attempt, respecting only the force of the better argument, to resurrect and sustain the conversation. They may test a factual claim against the evidence or justify a normative claim with reasons, so that

noncoercive communicative action may proceed. This model of action makes possible a powerful empirical analysis of practice, an analysis both structurally informed and phenomenologically sensitive. To understand how practice is thwarted by systematic distortions of communication, and how these distortions may be exposed and corrected, an organisation's communicative practice needs to be understood. For, if the traditional 'critique of ideology' becomes the critique of systematically distorted communications, Forester (1993: 62) explains that this critique must involve:

1. The articulation of a democratic political vision of open communication and dialogue, and, simultaneously -
2. The organising, practice and praxis, working concretely day to day to correct and overcome the domination of the unnecessary systematic distortions of communication in the organizational and political settings in which we live.

Otherwise, as Forester (1993: 63) explains:

To support existing organisational structures while ignoring distorted communication is to perpetrate and re-create deceit, dishonesty, manipulation; it is to continue to fabricate a society...which is at best a half-truth, at worst a lie, in terms of human possibilities discoverable and realizable under conditions of more democratic communication .

Applying Communicative Action to child protection practice

The most fundamental achievement of any speech act, according to Habermas, is the offer and establishment of interpersonal relationships. Habermas argues that the ability to form speaker-hearer relationships is basic to our ability to enter into and maintain interpersonal relationships in general, whether cooperative or uncooperative, intimate or impersonal (1979: 35). The status that Habermas claims for the theory of formal pragmatics amounts to the claim that there exists a universal basis for all social relationships. Thus, Habermas's formal pragmatics, and his theory of society generally, presupposes that any given social

relationship is possible only in virtue of norms of communicative competence (Habermas 1979: 35).

An acceptable speech act, for Habermas, is one that raises four defensible validity claims: truth, normative, truthfulness and intelligibility claims. Habermas divides the ways that sentences can be used – i.e. the pragmatic functions of sentences – into three fundamental categories: the use of sentences to represent states of affairs, to establish speaker-hearer relationships and to express one's self. These functions correspond to the aforesaid three kinds of validity claims. Additionally, the ways in which sentences are used are always constrained by contextual features – a third-person relationship between the speaker and the world, an I-it relationship; a social speaker-hearer relationship, an I-you relationship; and, a reflective relationship between the speaker and his/her own subjective world of intentions, desires, beliefs and values, an I-me relationship. These three features relate to three corresponding worldly domains – the objective, social and subjective, toward which we can take objectivating, performative, or expressive attitudes respectively, establishing a certain kind of relation between ourselves and each of these worlds (Habermas 1984). The general model of communication which thus emerges from Habermas's work may be summarised as in Figure 2.2.

In the *Theory of Communicative Action Vol. 1*, (1984) Habermas drops the fourfold structure of the 'universal pragmatics' of his *Communication and the Evolution of Society* (1979) by putting aside the 'intelligibility/comprehensibility claim' speakers make as they employ a shared language of significance. It appears that the notion of "grammatical well-formedness" (1984: 298) now replaces Habermas's original formulation of the 'claim to intelligibility' as a fourth validity claim raised with every speech act. Habermas refers to

“well formedness” as a presupposition of communication (1984: 310). By this he means, that it is a strong idealisation - implicit in everyday communicative action - rather than a condition that has to be met. With respect to my research however, the intelligibility/comprehensibility claim will be retained, as this claim requires that two or more participants in communication not only speak roughly the same language, but also that both interlocutors abstain from engaging in jargon that mystifies or asserts dominance over another person. For example, a violation of this validity claim occurs when child protection workers use technical jargon, or CPS bureaucrats using managerialist jargon, place others in positions of subordination.

Figure 2.2: General model of communication

Domains of reality	Modes of communication	Types of speech act	Themes	Validity claims	General functions of speech
“the” world of external nature	Cognitive: objectivating attitude	Constantives	Propositional content	Truth; existential reality	Representation of objective reality
“our” world of social relations	Interactive: conformative attitude	Regulatives	Interpersonal relation	Correctness; appropriateness; legitimacy	Establishment of legitimate social relations
“my” world of internal nature	Expressive: expressive attitude	Representatives	Speaker’s intention	Sincerity	Disclosure of speaker’s subjectivity
language	_____	Communicatives	_____	Intelligibility; comprehensibility	_____

(adapted from Habermas 1979: 58)

It is these four validity claims that, taken together, form Habermas’s universal conditions for communicative rationality. In this context, truth emerges and is accepted not through a correspondence with empirical reality, but rather it is produced consensually through discursively generated, constraint-free testing of its claims to validity. The end

product is a rational will that represents common and generalisable interests, rather than particular interests:

The interest is common because the constraint-free consensus is only what *all* can want: it is free of deception because even the interpretation of needs in which each individual must be able to recognise what he (sic) wants become the object of discursive will-formation. The discursively formed will may be called rational because the formal properties of discourse and of the deliberative situation sufficiently guarantee that a consensus can arise only through appropriately interpreted, generalizable interests, by which I mean needs *that can be communicatively shared*. (Habermas 1975: 108, original italics)

Undistorted communication thus arises out of the ability of each communicator to test the justifiability of each validity claim put forward by redeeming it discursively. In contrast, systematically distorted communication occurs when the universal, pragmatic norms of communicative action (i.e. aimed at reaching mutual understanding) become subordinate to privileged interests, producing asymmetrical power relationships and resulting in a false consensus about the validity claims made. Habermas argues (1975) that the state (and by implication, state institutions such as the child protection system) maintains an asymmetrical relation with members of society through the imposition of claims to validity that are largely untestable; in other words, it replaces generalisable (common) interests with particular interests. On a societal level, only norms based on a rational consensus express generalisable interests, otherwise they are based on force, and are thus ideological. In the latter case Habermas uses the term "normative power" to identify ideologically structured norms:

A social theory critical of ideology can, therefore, identify the normative power built into the institutional system of a society only if it starts from the *model of the suppression of generalizable interests* and compares normative structures existing at a given time with the hypothetical state of a system of norms formed, *ceteris paribus*, discursively. Such a counterfactually projected reconstruction...can be guided by the question (justified in my

opinion, by consideration from universal pragmatics): how would the members of a social system, at a given stage in the development of productive forces, have collectively and bindingly interpreted their needs (and which norms would they have accepted as justified) if they could and would have decided on organization of social intercourse through discursive will-formation, with adequate knowledge of limiting conditions and functional imperatives of their society? (1975: 113)

Where actions are coordinated by goal-seeking influence rather than by rational consensus, the communicators are oriented toward success rather than toward understanding. Habermas describes action oriented toward understanding as communicative action, whereas action oriented towards success is instrumental and strategic action. Strategic actions are instrumental to the extent that participants in strategic action instrumentalise one another as a means of achieving their respective success. Both strategic and communicative action have a teleological structure to the extent that, in both cases, participants act purposively, pursue aims, and achieve results (1984: 101) but otherwise they differ radically both from the point of view of their structural characteristics and from the point of view of the attitudes of individual communicators concerned. Habermas's theory of communicative action has been accused of being blind to the role of power within the lifeworld - so it is worthwhile emphasising that strategic action is a mechanism of action coordination within the lifeworld (Cook 1994: 20), and as such represents power internal to the lifeworld.

Strategic action can be distinguished structurally from communicative action with regard to the aims of the participants in communication and with regard to the relations that communicative participants adopt. Participants in communicative action adopt a "performative attitude" (Habermas 1984: 444) whereby they take up one of three possible attitudes (objectivating, norm conformative, and expressive) toward the elements of one of

the three formally conceived worlds. In contrast, in strategic action, participants do not operate in this three world reference system. The strategic actor confronts the world, rather than worlds, as though only one participant-world relation were possible. The three possible attitudes toward three corresponding worlds are reduced to just one objectivating attitude to the objective world. The actor relates to the social world of normatively regulated interactions and the subjective world of inner experience in an objectivating way as though they were all the objective world of existential states of affairs. Strategic actors deal with other persons and their own inner nature as though these were states of affairs, or entities in the physical world, for which the criteria of propositional truth and efficacy are appropriate. They recognise no other modes of validity, and hence, no other modes of rationality than the cognitive-instrumental mode (Cook 1994: 21).

On the other hand, participants in communicative action adopt a reflective relation to the world (Habermas 1984:66). This means that they do not relate directly to something or other in one of the three worlds; rather, they relativise their speech against the possibility that their validity will be contested by others. Their relation to the world is mediated by the need for intersubjective recognition of the criticisable validity claims that they raise; to this extent, participants in communicative action can achieve their aims only cooperatively. The means of success are not at the disposal of the individual actor - making the cooperation of others a necessity. When the shared understanding that a speech act in communicative action aims at is reached, an interpersonal relation is established in which some knowledge concerning the objective world is shared (the speaker has endeavoured to come up with a true statement); the statement is regarded as legitimate or appropriate (the speaker has endeavoured to perform the right speech act in the normative context); and, finally, some

trust has been generated in the credibility of the speaker (the speaker has sufficient self-confidence that she has expressed her true belief or feeling). Thus, in communicative action, speech acts serve to renew and repair interpersonal relations, the representation of situations and events and the representation of self. In comparison, actors who act strategically are not dependent on the recognition of others. They can treat other persons as though they were objects or entities in the physical world. They can lie. They can cheat. Their speech acts do not have to be fruitful or rightful beyond the requirements of strategy. This is a further dimension of the objectivating attitude that has freed itself from the three world reference system of communicative action.

The obligatory nature of Communicative Action

What a speaker does in performing a speech act is to enter into a relationship of obligation with the hearer (of course, this only applies to the communicative action form of speech). This relationship is based on the speaker's undertaking to support what is said with reasons. Habermas conceptualises this in terms of a validity claim raised by the speaker. The speaker claims that what is being said is true or right and offers to provide reasons to support the claim that is being made if the hearer argues that it is necessary. This assumption of responsibility by the speaker brings about an intersubjective relationship bound by reciprocal obligations. It occurs because the participants can say 'No' to speech acts. "The critical character of this saying 'no' to speech acts distinguishes taking a position in this way from a reaction based solely on caprice" (Habermas 1987: 74). Habermas distinguishes three points of view from which the negation of a speech act is possible. The hearer can reject *what is said*. This is an instance of disagreement regarding the *truth claim*

raised with the proposition that has been asserted. The hearer challenges the speaker's attempt to establish an interpersonal relationship on grounds pertaining to the matter at hand. We can imagine a hearer demanding: "What reasons do you have for saying *that*?" A second possibility is that the hearer challenges the speaker's *right to say what is said to the hearer* in the particular context. This is an instance of disagreement regarding the legitimacy of the normative context in which the utterance is expressed. The hearer challenges the speaker's attempt to establish an interpersonal relationship on grounds pertaining to the speaker's entitlement to raise that particular claim to that particular hearer in that particular context. One can imagine a hearer demanding "What reasons do *you* have for saying that to me?" The final possibility is that the hearer questions the speaker's *truthfulness* in saying what is said. This is an instance of suspicion regarding what the subjective truthfulness of the speaker. The hearer challenges the speaker's attempt to establish an interpersonal relationship on grounds pertaining to the subjective authenticity of the speaker; more precisely, the hearer challenges the speaker's sincerity. We can imagine a hearer demanding "What reasons do you have for expecting me to believe you *mean* that?" The foregoing provides us with some practical guidelines as to how we should determine what kind of validity claim a speaker is raising with a particular utterance

Agreement with or acceptance of speech acts gives rise to an obligation to act in a certain way (Habermas 1984: 296). Habermas argues that every speech act serves to establish an interpersonal relationship on two levels. On the one hand, the speaker enters into a moral relationship with the hearer to the extent that the speaker undertakes to vouch for the normative rightness (appropriateness) of the speech context in question. However, the binding force of the speech act derives not from this but from the speaker's warranty to

defend the claim raised with good reasons, if necessary. Habermas describes the interpersonal relationship established as a validity-related obligation: The speaker is obliged to support claims with reasons if necessary, and the hearer is obliged to accept a claim unless there are good reasons not to do so.

Distorted communication

In his reformulation of ideology as systematically distorted communication (Bohman 1985: 297), Habermas claims that systematically distorted communication does not only violate the validity basis of grammatical speech - more importantly, it violates its internal structure. In this way, it creates its primary pragmatic effect, common to both ideology and pathological interaction situations such as the arriving at and maintenance of false agreements or false consensus. The breakdown of what Habermas refers to as the "internal organisation of speech" (1984: 284) has this pragmatic effect because it signals a violation of the presuppositions of successful communication in all the dimensions of language use. According to Habermas, in everyday communicative use of language there is a connection between meaning and validity, a connection between meaning and intention, and a connection between speaking and acting. Systematically distorted communication violates this internal organisation.

Thus, in this reading of communication theory, ideology is not only a systematic distortion produced by some external cause (such as the economic base of classical Marxism), but also a violation of the internal structure impinged upon from the outside by social practices of speaking, in such a way that the violations of its own internal structure, the disconnecting of of the structural components of the unity of grammatical speech, *ideologically distorts those practices that make up the fabric of everyday life* (Bohman, 1985: 301)

Habermas sees this overwhelming pressure exerted on the internal organisation by the external organisation of speech as being concerned with the regulation of the normative context in which the discussion takes place: it regulates who is allowed to participate in which discussion, who can initiate topics, who can bring the discussion to a close, who can contribute and in which order, how topics are ordered and how the scope of the discussion is determined. For instance, in the case of child protection, interviews, meetings, case conferences and so on, are usually conducted in environments and circumstances conducive to the needs of the system rather than the convenience of the client. As distorted communication, ideology only apparently resembles the structure of integrated speaking. But, on the level of latent pragmatic effect, ideological speech performances actually hide the disconnection between speaking and acting, and thus undermine the structural basis of the intersubjective bond between speaker and hearer in normal speech acts. Such disconnections, Bohman (1985) argues, make subsequent interaction incoherent. By withdrawing a validity claim when it is offered, the speaker violates the conditions of successful communication. The speech act, violates the reciprocity conditions of communicative action.

For Habermas (1984: 332), ideological utterances can act as "latent strategic action". Latent strategic action is linguistic action trying to pass itself off as communicative action. It does indeed violate the presuppositions of communication - since it is not really aimed at establishing a shared agreement. "The agreement reached through an ideological utterance must necessarily be a false one" (Bohman 1985: 304). Thus, for Habermas (1984: 333) the social function of ideology is the maintenance of "false consensus". As distorted communication, ideology is the structural restriction of the possibilities of communicative

action. This occurs, according to Habermas, as a consequence of the 'colonisation' of the lifeworld where the domination of money and power withdraws linguistic processes from the centre of the processes of social reproduction. As a result, everyday forms of interaction are degraded and impoverished. With this impoverishment, "everyday consciousness is robbed of its synthesising power: it becomes fragmented" (Habermas 1987: 521). In the case of child protection, we may say that it is a case of system goals taking priority over lifeworld ones. This has two-fold implications. First, the fulfilment of those lifeworld goals is essential to the maintenance of the lifeworld. Second, the system itself is dependent on the stable functioning of the lifeworld. One requirement of a child protection service, then, would be that those who manage and practice in it be well versed in and committed to the communicative and normatively-grounded ways of the lifeworld. In short, reliance on child protection services would be legitimate as long as child protection policy and practice did not interfere with the communicative process of need interpretation and the securing of the normative basis for social integration. Conversely, as Habermas argues, there is a tendency among lifeworld practices (in our case, child protection) toward even greater integration into the system and, consequently, a tendency to abandon obligations to the lifeworld and the primacy of the achievement of consensus over system efficiency. Only where systematisation is complemented by adaptive change or the rationalisation of the lifeworld, and, by implication, where it allows for, and does not block such adaptation, does it avoid generating communication distortions – or normative entropy.

The system assimilation of socially integrative processes suppresses the expression of generalisable interests, by hindering and distorting communication and by subordinating consensus oriented action to system goals. Because social relationships are held together by

norms, generalisable interests need to be brought to light to discover and vindicate the basic ethical principles of society. Furthermore, they need to be brought to light in order to clarify the social limits on systematisation – to guide the formations of institutions (such as the child protection system) and to provide a social basis for the functioning of those institutions. When the communicative processes by which these interests are discovered are replaced by systemic media, reification in the form of anomie and alienation occurs.

Habermas's account of reification differs from the traditional Marxist sense of the word. In his view, it is not labour, but consensually-based social relationships that are reified when they are replaced by the standardised relationships conducted within noncommunicative media of the system. When the validity basis adduced in the lifeworld for cultural values, social relationships and individual self-expression is replaced by requirements of functional rationality, an error occurs. As long as functional rationality regulates the pursuit of the ends of material reproduction, its use is valid, but when it replaces consensus-oriented processes with efficiency-oriented processes, it reifies the very source of social integration on which it depends. This is exemplified by the resistance that parents generally display towards child protection intervention. A society that allows its ends to be determined by the survival requirements of the system, and uses 'technical' knowledge of social behaviour (i.e. human resources theory, behaviour management theory and the like) to achieve them, commits the error of reification. Systematisation, according to Habermas, must be socially controlled - and its ends determined not by the survival requirements of the system, but by rational consensus. This thesis will investigate the extent of the validity and relevance of this assumption in child protection practice but, first, we should discuss the historical/ empirical antecedents of child protection.

Chapter 3

A Historical/Empirical Perspective of Child Protection**Introduction**

In general, the community debate about child abuse is characterised by the assumption that it is committed by deviant individuals. Underlying this assumption is the idea that there are 'natural laws' that prevent adults from committing abusive acts against their young (Hood, 1997: 2). Consequently, child abusers are seen to transgress these natural laws allowing them to be held individually responsible for their behaviour and to suffer community sanction. Such a causal theory leads to the notion that the problem can be addressed by dealing with the delinquent parent.

On the other hand, numerous media reports and official statistics indicating increasing incidences of child abuse and adults admitting to their own childhood experiences of abuse indicate that there must be many 'deviants' in the community. These revelations make the proposition that abuse is solely the responsibility of the individual seem suspect and lead to the consideration that child abuse is motivated not so much by individual behaviour and natural laws but also by social forces. In this perspective, abusive behaviour towards children is held to emerge out of a society which allows it. As C. Wright Mills (1959: 8) argued, private troubles are public issues. People's private troubles are sociological both in origin and in consequences. He urged the use of a sociological imagination to interrelate the structural causes of social problems, major trends, private

troubles and public issues that occupy everyday existence. By its failure to enforce norms against child abuse, and placing behaviour towards children on a lower ranking than the pursuit of economic goals and personal freedoms, does society bear some responsibility for child abuse?

This literature review will examine writings on the subject of child abuse from the 1960s onwards - for it is then that the issue of child abuse became constructed as a 'social problem' with the 'discovery' of the battered baby syndrome. The review is divided into two major sections - firstly, writings that focus on the individual, the parent, child or family, as the primary actor in the occurrence of abuse and, secondly, writings that focus on the structural foundation of child abuse. The review will commence, however, with a brief outline of the history of child abuse both internationally and in Australia for, even though child abuse only became recognised in the broad as a social problem in the 1960s, abuse of children has occurred in various forms throughout history. Even though children have suffered harm over time, concerted efforts to address the problem have only occurred when it became socially constructed as a problem. According to the social constructionist view, social problems are 'real' only if they are publicly recognised as a problem (Thio 1998; Gusfield 1984). The difficulty with this approach is that it ignores the fact that harm exists whether a problem is recognised or not. Social problems have 'careers' (Blumer 1971; Spector and Kituse 1973) over the course of which public concern for them and the public resources devoted to their resolution wax and wane. If left unresolved, problems merely reappear later, and when they do, they tend to worsen. Therefore, this brief historical review of provides a contrast with contemporary Western accounts of child welfare.

Historical perspective of child abuse and child welfare

Child abuse has been a phenomenon of society from antiquity to the present. The principal mode of child rescue in ancient times and throughout the Middle Ages was by means of informal foster care. Abandoned children taken in by strangers due to their kindness were referred to as 'alumni'. The term denoted children abandoned by their parents and brought up in the house of someone else (Boswell 1990: 18). The relationship was voluntary, largely unregulated by law, and drew its strength and force from personal ties of love and kindness.

Between the twelfth and fourteenth centuries, the fate of abandoned children continued to depend upon on the kindness of strangers (i.e. people not known to them). At this time, however, the state began to play a very important role in the process. This was occasioned by the rise of foundling homes sometime in the thirteenth century, brought about following the increased social significance of lineage and birth (Boswell 1990: 431). Adoption and fostering lost status. The idealised relationship of *alumnus* with foster parent was replaced with an inferior status accorded to fostered children compared to natural children. Fewer and fewer abandoned children were fostered, thus requiring the state to intervene so as to establish an orderly public means of handling them. Children disappeared quietly and efficiently through the doors of state-run foundling homes, into social oblivion.

As Boswell poignantly explains:

The strangers no longer had to be kind to pick up the children: now they were paid to rescue them. Because it was their job, they remained strangers; and the children themselves, reared apart from society, apart from families, without lineage either natural or adopted, either died among strangers or entered society as strangers. (1990: 434)

Stratification of abandoned children was reinforced by large-scale social inflow such as we

see in the sixteenth century when there was a significant increase in vagabondage and begging due to the effects of war and famine and social dislocation.

In general, the treatment of European children of the lower classes in the period up to 1800 had two essential characteristics. First were the basic means of dealing with orphaned, destitute and delinquent children: transportation to the colonies, boarding-out (foster care) and placement in some form of institution such as an asylum or orphanage. Second, crime and delinquency associated with children and youth was interpreted as violating the social order, failing to conform to Christian principles, and requiring education and moral improvement to overcome. Van Krieken (1992: 49) suggests that one underlying reason for this delinquency was the persistent poverty of the lower classes, and that little headway could be made towards integrating children into the social order until that changed.

The apparently intractable nature of poverty and delinquency provided the background to the introduction of child welfare into Australia. In the days of early colonial settlement authorities despaired of the lower classes' unwillingness to conform to the social order. Convicts proved very difficult to discipline. They refused to marry and settle down, and persisted in being disorderly to the extent that the colonial elite saw them as being beyond rehabilitation (Cleverley 1971: 8). In order to construct a society of good workers and good Christian families, the elite saw it as essential that existing 'vicious' family relationships be broken up so that the children could be secluded and taught habits of religion and industry. Van Krieken provides an illuminating summary and critique of the colonial child welfare system:

Set as they were within a context of fear and loathing of the lower orders, the intentions and practices of the people running the colonial child welfare institutions produced a form of child welfare that was difficult to distinguish from punishment and imprisonment. Like all charity since the sixteenth century, protection was intended to be

combined with reform and education, the point of which was largely to produce good workers and wives who knew their station in life within basically exploitative working relations. (1992: 56)

Boarding out, a form of intervention similar in operation to the modern notion of foster care, was introduced to Australia in 1872 (Markiewicz 1996: 33). It was seen as a means of replacing an unsatisfactory family with a more respectable one. The goal was individual improvement of the child. From 1890 there occurred a gradual shift in emphasis from private, that is, run by charities or individuals, to state responsibility. According to Van Krieken, (1992: 84) this was "a period of extensive and formative change, involving a gradual rationalisation, systemisation and expansion of child welfare agencies". This involved considerable pressure being exerted by state officials for fundamental changes in the relationship between the state and children. Effort was focused on transforming child management from a boarding-out system to a coherent organisation of reclamation and reform of wayward children. Child welfare was to become a system of intervention into and reconstruction of families thought not to be socialising their children properly.

It was during this period that a two-tiered system of child welfare began to develop with state-financed and managed institutions on the one hand and private, usually church-managed, institutions on the other. The political conditions during this period saw the state regarded as a problem solver.¹ The general pattern was one of centralisation and expansion of state control.

The general increase in state intervention into family life was thus a part of a wider range of political, economic and social developments that were to continue into the 1920s and 1930s. Connell and Irving (1980: 202) conclude that the family and the community, "was a source of weakness for the working class" which was why it "became a site of

this period, too, that the infamous policies of the removal of Aboriginal children from their families tragically occurred. Such policies indicated the darker side of scientific endeavour at the time. Social Darwinist ideas of social and biological inferiority were popular and legitimated extensive social engineering backed by legal authority and state force. As Van Krieken succinctly points out:

Certainly the 'child welfare' that Aboriginal families were subjected to was largely a vehicle for the destruction of the Aboriginal culture, an effective program of cutting ties between one generation and the next, perhaps the most brutally efficient realisation of the 'rescuing the rising generation' idea originally intended for the industrial working classes. (1992:132)

One of the latter steps in the history of child welfare was the creation of state agencies specifically responsible for children. Typical of this, in 1954, significant legislation was introduced in Victoria which resulted in the establishment of a special bureaucracy specifically related to child welfare - the Children's Welfare Department (CWD). According to Markiewicz (1996 :34) this "was said to be a notable milestone in the road to progress in child welfare in the state" as it created not only a statutory body responsible for child protection but also voluntary community service organisations (CSOs), usually as church-run, engaged in the care of children. This was also a period of expansion of large residential institutions or 'children's homes'. CSOs played a significant role in the provision of children's homes, as they were the main service providers placing children. These children's homes were segregated by age and gender which resulted in children in long-term care being split from their siblings (Markiewicz 1996: 34). The legislation setting up the CWD also provided for official monitoring of these homes by the department, this led to an ambiguous relationship between the two tiers of child welfare (Markiewicz 1996: 34) - a situation that had subsequent serious ramifications.

(Markiewicz 1996: 34) - a situation that had subsequent serious ramifications.

The medicalisation of child abuse

In 1961, a paediatrician in the USA named C. Henry Kempe and five colleagues had an article published in the *American Medical Association Journal* that has been seen as the watershed for the contemporary approach to the issue of child abuse. They surveyed U.S. hospitals and found a high incidence of unrecognised trauma in young children and re-classified it as 'The Battered Baby Syndrome' (Kempe et al. 1961). This emotive term focussed attention on the act of commission of the injury by parents or people with the responsibility of caring for the child. Before Kempe, others (Caffey 1946; Silverman 1953; Wooley and Evans 1955; Elmer 1960) had noticed the patterns of injury but had been unable, or had chosen not, to so clearly focus on the possibility that the injuries were not accidental.

Pfohl (1977: 314) provides an interesting analysis of why paediatric radiologists and not some other group of professionals were the first to 'discover' child abuse when others were coming into contact with the problem and its victims. He outlines four factors that hindered the recognition by those other professionals. First of all, in spite of what may now be recognised as 'obvious' signs of abuse, many practitioners were unaware that what they were seeing was inflicted injury. Second, because of cultural assumptions associating parental power with wisdom and benevolence, there was a psychological unwillingness to believe that parents could inflict atrocities on children. The third factor was the norm of patient confidentiality: the relationship between physician and patient was seen as applying to the parent and not to the child and physicians were concerned about legal liability should they disclose and thus breach confidentiality. The fourth factor hindering the recognition of child abuse was the reluctance to become involved in the criminal justice system, a process

which medical practitioners could not control and which ran the risk of consuming a great deal of their time and jeopardising control over their profession.

Paediatric radiologists, on the other hand, were 'distanced' from many of these obstacles by the nature of their profession which derived rewards from the discovery of child abuse. Their role in its discovery offered them prestige not previously accorded due to their marginal professional status. It also gave them the opportunity to form alliances with other medical interest groups, as well as a role in the potentially life and death diagnoses of a serious threat to child health (Pfohl, 1977: 314).

As a result of the 'discovery' by Kempe et al. (1961), modern professional interest in child abuse and neglect is generally taken to have begun around this period of time. The medical model of child abuse had its aetiology in the individualistic, scientific, psychoanalytical traditions of the West (Hood 1997:45). Coming from a background of schooling in health care, the models practitioners used to explain physical child abuse were disease oriented - implying that a parent's 'sickness' led to their deviant behaviour. The problem was seen to rest with the parent's special situation - so the perception was that the problem could be contained, or fixed, by the provision of medico-psychiatric counselling. Relying on psychiatry, Kempe was able to 'explain' parents who abused their children (Golden, 1997: 311). They were "psychotic, sociopathic, alcoholic, of low intelligence, immature, impulsive, self-centred, aggressive, or a combination of all these characteristics. What they needed was treatment."

The group around Kempe produced a number of landmark texts culminating with Bowlby's (1970) *Attachment and Loss*, which highlighted the need for attachment from infancy between mother and child. Lack of attachment and bonding led to a failure to

thrive. Failure to thrive was a condition that fitted neatly into an individually-focused medical model. Although primary attention was paid to individual shortcomings, practitioners began to realise that neglect of the child was also present in the cases that came before them. The publishing of Hefler and Kempe's (1976) book *Child Abuse and Neglect: The Family and Community* demonstrated this broader perspective. Articles began to appear on the subject in many journals and, in 1977, the International Society for the Prevention of Child Abuse was founded with Henry Kempe the founding editor of its *Journal Child Abuse and Neglect* (Hood 1997: 47)

In the 1970s, attention began to focus more on how to respond to cases where parents were injuring or failing to care for their children. Hood (1997: 58) explains that the medical profession began to realise that it could not provide sufficient response on its own - especially where it was advocated that a child be removed from the parents' care. Other professions and social agencies were engaged resulting in multidisciplinary planning of cases. The Tunbridge Wells Study Group in the U. K. (1975), for instance, attempted to address the medical, social service, police, legal and educational aspects of the issue. Its focus though, remained on individual pathology, the immediate family and the practical tasks of diagnosis and coordinated intervention. In the collection of papers produced by this group, *Concerning Child Abuse: Papers on Non-accidental Injury to Children*, conflict between the differing perspectives of the police and other professions became evident. The police argued that acts of non-accidental injury should be equated with murder or assault against adults and stressed the importance of subsequent prosecuting of acts of violence towards children. Thus, the multidisciplinary approach had its drawbacks. Whilst broadening awareness of physical injury and neglect of children, it also brought into close

contact professions and agencies that operated with different, even antagonistic ideologies. At the same time, social workers embraced the medicalisation of child protection. Medical authority would eclipse the position social workers had held up until that time as 'child rescuers'. Now the experts in charge of child protection were doctors.²

Multidisciplinary definitions and interventions began to be developed further in the 1980s. In the United Kingdom, Jones, a medical practitioner, edited a comprehensive and influential book *Understanding Child Abuse* (1982) which provided a specific child-parent focus, an authoritative stance on how children should be raised, and provided detailed descriptions of 'good' social welfare practice - championing the right to intervene in families. Another work of note in the UK was that of Dingwell, Eekelaar and Murray (1983) who published a detailed observation of the way decisions were actually made by multidisciplinary child protection teams, observing that there were significant differences of approach in practice between health and social service agencies. Health agencies tended to focus on the child as a clinical object and social services treated the child as a social object. This different focus for decision making acted to keep a check on identification of abuse and neglect, sometimes usefully, sometimes preventing good coordination. Overall, the system was found to be operating fairly cautiously in its decision making, only labelling those cases where no justification for the behaviour towards the child could be found (Hood 1997: 58).

In another development in the United States, Garbarino (1981) introduced a move away from the sole focus on the individual. Garbarino argued that in addition to the psychodynamic causes, the idea of place should also be considered. Garbarino (1981: 230) aimed to develop an "understanding of how human development proceeds as interaction of

maltreatment occurred, including the parent - child relationship. In his later work Garbarino has been one of the principal exponents of developing the ecological concept of psychological and emotional abuse of children, attempting to define it, and arguing it needs to be recognised as underlying all the other kinds of abuse of children (Garbarino, Guttman and Wilson Sealy 1986).

While critical of the disease perspective, the ecological model does not condemn it but rather complements it. While the ecological perspective tries to move away from individualistic explanations of child abuse, its attempt to arrive at a social account of the problem is limited. It extends the biological metaphor from diseased people to diseased communities. As Parton explains:

While the ecological perspective tries to move away from individualistic explanations of child abuse its attempts to construct a social account of the problem is very partial. The analogy with biological ecology, and its emphasis on the internal mechanisms of neighbourhoods implies that the people who live in the neighbourhoods do so because of certain personal characteristics or of because of some natural process of social development. In attempting to identify certain neighbourhoods as more likely to contain problems of child maltreatment according to criteria of 'social impoverishment' it is suggested that certain neighbourhoods are socially disorganised and pathological while others are healthy. (1985: 156)

Parton (1985) argues that neighbourhoods and communities are not ecological systems but are regulated and influenced by processes unknown to the ecologist. When neighbourhood networks do emerge, they are usually shaped by influences other than simply the occupation of a shared geographical area (Parton 1985: 157). He suggests that rather than looking inward to find the causes of child abuse in communities, neighbourhoods or families, it would be more productive to demonstrate how political, economic and historical forces can account for deficits and child maltreatment (Parton 1985: 158).

In another development, this time influenced by feminist ideology during the 1980s,

In another development, this time influenced by feminist ideology during the 1980s, the topic of sexual abuse of children received great attention. Many professionals adopted the feminist analysis of child sexual abuse as an abuse of power. This fostered an atmosphere where legislation to criminalise abuse activities and allow intervention was put in place (Hood 1997: 66). Arguments about the rights of the child compared to those of the parents followed. Besharov (1985) argued that laws defining child abuse were not balanced between protection and privacy, and had swung too far toward the former. He saw a need to limit intervention, arguing that it should occur only as a result of immediately harmful behaviour. Reiterating his position in 1990, Besharov argued children, on balance, cannot be shown to have benefited from intervention - because alternative placements to the child's family, and subsequent treatment services were inadequate, and often may actually cause harm. This sentiment was echoed in Australia later in the 1990s by the Victorian Auditor-General (Auditor-General 1996: 129).

In 1995 in the UK, a landmark report was launched by the British Department of Health (Dartington Social Research Unit 1995). This report summarised twenty research projects conducted over the previous few years. The research program aimed to explore different aspects of child abuse which would, in combination, help provide a more comprehensive assessment of current practices. Rather than being primarily concerned with researching the nature and form of child abuse itself, particularly as this was usually done through clinical studies, the focus was on the processes and outcomes of child protection interventions (Parton, Thorpe and Wattam 1997: 13).

Many of the studies demonstrated that "with the exception of a few severe assaults and some sexual maltreatment, long term difficulties seldom follow from a single incident,

particularly one which is low on warmth and high in criticism" (Dartington Research Unit 1995: 53). The study concluded that many investigations were undertaken, many families were visited and case conferences called, but that, in the end, little support was offered to the family. Not only did the parents become alienated, angry and bewildered, but also the children were not helped (Parton et al. 1997: 14). One of the research teams used the analogy of a fishing net as a powerful metaphor in representing the current situation:

The child protection system might be considered as a small-meshed net, in which are caught a large number of minnows as well as a smaller number of marketable fish. The minnows have to be discarded but no rules exist about the correct size the mesh. Each fishing fleet may therefore set its own. The 'meshes' are the organisational filters operated at local child protection systems. A child who enters the system must pass through a number of organisational 'filters' before his or her name is placed on a child protection. (Gibbons, Conroy and Bell 1995: 51)

The implication is that not only are far too many resources concerned with trying to operate nets, but far too many children and families are caught up who should never be there. Not only are they hurt and confused as a result, but also their needs, in most cases, are not being met - and they are offered few services and little help.

Suggestions from the research overview emphasised the following: the importance of sensitive and informed professional/client relationships where honesty and reliability are valued; an appropriate balance of power between participants where serious attempts are made at partnership; a wide perspective on child protection which is not only simply concerned with investigating forensic evidence but also with notions of welfare, prevention and treatment; that priority should be afforded to effective supervision and training of social workers; and that the most effective protection from abuse is brought about by generally enhancing children's quality of life (Parton et al. 1997:15). The significance of this research was that it made a major contribution to - and helped open up - debates that

have, and are taking place, in the UK and in Australia (Scott and Swain 2002: 50) about the directions for child protection. It was hoped that the research would have provided the opportunity to re-think and take stock of a number of assumptions and priorities which had never before been seriously addressed (Parton et al. 1997: 16). Only time will tell because, as Parton (1996: 7) argued, none of the research seriously addressed why child welfare services became reconstructed as child protection, why the work takes the form that it does, and how practitioners resolve the wider social and organisational responsibilities and tensions placed upon them.

Spratt and Houston (1999) carried the debate further by arguing that a critical analysis of the ideologies that inform contemporary child care has been missing from the refocussing debate. Such an analysis points to the necessity of reasserting a critical social work practice and engaging with other social actors and their ideologies in an open and creative fashion compatible with Habermas's (1987) model of communicative reason (Spratt and Houston 1999).

Developments in Australia with particular attention to Victoria

Not long after Kempe's (1961) discovery of child abuse and the subsequent medicalisation of child abuse, two influential articles appeared in Australia on the issue of 'maltreated' or 'battered' children, as it was termed at that time (Hood 1996: 74). Wurfel and Maxwell published *The Battered Child Syndrome in South Australia* (1965) and Birrell and Birrell *The Maltreatment of Children* (1966). As a result of the Birrells' research into children in Victorian hospitals, they recommended voluntary reporting of suspected abuse, changes to accommodation arrangements and specialist training for child care personnel and infant

accommodation arrangements and specialist training for child care personnel and infant welfare centres. The Victorian Health Minister set up a committee to investigate allegations of child maltreatment and neglect contained in their book and subsequent articles (Hood 1996: 74). At the same time changes in children's health and conceptions of the family and childhood, together with a growing interest in children's rights, led to a new interest in abuse of children by the broader community (Goddard 1996: 24).

The conceptualisation of child abuse as a medical problem assumed that child abuse was an illness and that clinical medico-scientific procedures were the best way of identifying and responding to it. Such an approach was crucial in influencing the way government guidance developed during the 1970s and into the mid 1980s. It was supposed that child abuse constituted a medical reality which had previously been denied and which professionals had failed to identify and respond to. The official purpose of official government policy was to encourage the discovery of such cases via diagnoses, treatment and prevention.

At the national level, the Australian Institute of Family Studies through its National Child Protection Clearing House has recently completed an overview of research on primary and secondary prevention of child maltreatment in Australia over the period from the 1960s (Stanley and Tomison 2002). The study found that Australia has developed considerable strengths in some areas of the prevention of child maltreatment and is leading the research field in a number of areas, particularly with programs targeted towards parents (Stanley and Tomison, 2002: 73). This development has occurred despite significant funding differentials between Australian research projects and many overseas projects, particularly in the USA. The study identified the need to acknowledge these important

Australian projects and facilitate their development.

However, the study also found that there were some major gaps in research. The authors point out that these gaps are particularly concerning where they relate to uniquely Australian issues of child maltreatment prevention, as this knowledge is unlikely to be addressed with research originating from overseas. Such areas include child maltreatment prevention within Australia's indigenous community and with recent migrant and refugee groups (Stanley and Tomison 2002: 73). The study also identifies gaps in the world research agenda, such as in relation to child maltreatment and disability. It outlines broad principles needed to guide prevention research, including the need for a child-centred agenda, the need to understand and address ethical issues which provide barriers to research and the need to push out the boundaries of what is defined as the field of prevention (Stanley and Tomison 2002: 73).

The report recommended the formation of a national research body. Such a group could undertake tasks such as coordinating research across disciplines and community sectors, promoting ecological integration of programs and data sources, and providing links between research, programs and policy.

Tomison (1996) contends that Australian child protection systems had begun to follow the international trend of shifting away from forensic investigation of suspected child maltreatment to one where a greater emphasis was placed on family support and the promotion of a 'needs' approach to the management of suspected child abuse (Tomison 1998: 1). Much of the impetus for change in Australian child protection systems came from the UK where the Dartington Social Research Unit had produced a substantial amount of evidence about definitions of maltreatment, what happens to children and families caught

up in the child protection system, and case outcomes. As a result, policy makers in the UK began to consider shifting the balance between child protection and other services for children in need (Tomison, 1998:1)

From the early 1980s, Mendes (1997: 177) explains that the statutory child protection system in Victoria experienced constant public attention and criticism. Four official inquiries were conducted during this period (three by Justice Fogarty of the Family Law Court and one by the Victorian Auditor-General), yet the same problems kept re-emerging. The system seemed to be plagued by inadequate resourcing, poor staff retention rates, a lack of experienced practitioners and, most importantly, a failure to protect children from serious injury and death.

The 1989 report by Justice Fogarty described the Victorian system as "having made almost every mistake which could have been made...[and as being] the least effective in Australia" (Fogarty 1989: 28). Fogarty recommended the termination of the dual track investigative system operating at the time which divided investigative work between the police and departmental protective workers. He also recommended the transfer of all protective service work, some aspects of which were being performed by a private welfare agency, to the department. His final recommendation was for the establishment of a twenty-four hour, after-hours service (Fogarty and Sargeant 1989: 2-3).

Following the implementation of these reforms, the system displayed significant improvement (Fogarty and Sargeant 1990: ii). In his 1993 report, Justice Fogarty praised the establishment of the single-track system, increased budgetary allocations for statutory services, and better staff numbers and retention rates. However, he also voiced concerns about practice deficits such as the virtual abandonment of adolescents by state protection,

excessive delays in investigations of notifications in certain geographical regions of the State, and an inadequate assessment of drug-using parents with young babies. Fogarty expressed the view that if steps were taken to address these concerns, Victoria could still achieve a first-class system within eighteen months. However, he warned that many of the gains were threatened by what he described as 'budget-driven' proposals to cut child welfare support services in the non-government sector (Fogarty 1993). Unfortunately, these hopes were to be unfulfilled due to two factors: the introduction of mandatory reporting which led to a massive increase in child abuse notifications, and the simultaneous slashing of \$7.4 million from child welfare support services by the Victorian Government (Mendes 1997: 178).

Mandatory reporting resulted in child abuse notifications rising from 19,344 in 1992-3 to 31,619 in 1994-5 (Auditor-General 1996: 39). One implication arising from this increased number of child abuse reports was the necessity for the provision of additional resources, including not only extra child protection workers to investigate the reports but also additional treatment and support services (such as maternal and child health nurses, family aides, specialist counsellors, and so on) to help the victims and to prevent further abuse. This did not happen, thus exacerbating an already perilous situation.

The introduction of mandatory reporting and the huge increase in reports coincided with unparalleled cuts to government expenditure. Under the influence of 'economic rationalism' a neo-liberal economic ideology, (Ernst and Webber 1996: 122-126), the Liberal/National coalition government cut over half a billion dollars from Health and Community Services over a five year period: 54 percent of total government savings (Inglis 1994: 69). The Director of Youth and Family Services emphasised that the public sector

would face "continuing and relentless pressure to do more with less in terms of service delivery," suggesting that calls for greater funding of child welfare services would "fall on deaf ears" (Blacher 1996).

Extreme media pressure forced the government to agree to increase the number of child protection workers (Mendes 1994: 18-19). The increase in resources to the investigatory side of child protection helped stave off the complete collapse of the whole system. However, the transfer of resources from support and prevention (provided by the non-government sector) to investigations (provided by the statutory sector) provided no guarantee of increasing effectiveness thus confirming the fears of the opponents of mandatory reporting. For example, the *Herald Sun* newspaper, in order to prevent further child deaths following the trial of a person held responsible for the death of his step-child, ran a passionate and emotive campaign to introduce mandatory reporting in Victoria. However, as all the authorities involved in child protection already had knowledge of the lad's situation, mandatory reporting would not have saved his life (Swain, 1993: 3). Moreover, the introduction of mandatory reporting at a time of extensive cuts to support and prevention services arguably increased, rather than lessened, the possibility of further such deaths occurring (Mendes 1994: 11).

Incidentally, a recent paper (Stanley, Goddard, Saunders and Tucci 2002) on mandatory reporting presented the findings from an Australian Research Council funded study which examined issues around reporting to protective services, using a sample of community professionals based in Victoria. The study showed that few professionals found the decision about whether or not to report a child to be straightforward. Being a mandated professional did not make the decision any easier. For many, the decision was based on a

range of factors which include expectations about the outcome for the child, factors relating to the child's family such as cultural factors and fear of parental response, and factors associated with the professionals work. Sometimes these issues were given greater priority than the professional's assessment of risk to the child. For instance, 42 percent stated that they would not report a child whom they had judged to be at 'considerable' risk and 12 percent would not report a child whom they considered to be at 'extreme' risk (Stanley et al. 2002: 82).

Mandatory reporting, resulting as it did in a huge increase in the number of children being detected despite no extra funding being provided to prevention and treatment programs, meant in practice that families in crisis could be forced to wait six weeks, or even longer, before they could be assessed, thus increasing the risk of abuse occurring (Mendes 1994: 11). The government also proceeded to save the aforementioned \$7.4 million by replacing high cost residential services such as family group homes - which were run by paid married couples with their own children and where abused children could be cared for professionally in a family atmosphere - with much lower-cost, home-based services such as foster care (Fogarty 1993: 26-32). The Auditor-General suggested that, as a result of these actions, children were being exposed to 'system abuse'. That is, preventable harm was being done to children as a result of policies that were supposed to provide care and protection (Auditor-General, 1996: 129). The overall philosophy of the Department has appeared to be to divert all but the most severe cases into the non-government sector (Catholic Social Services 1995:4-5; Hough 1995: 174). However, as already mentioned, the capacity of this sector to provide appropriate support services has been sharply diminished.

As a consequence of under-resourcing, there appear to be a number of deficits at the delivery end of the system. For example, all child protection workers are trained in the use of risk assessment models to judge whether children are at risk of significant abuse or neglect, yet many workers seem to struggle to safely assess the parenting capacities of caregivers restricted by psychiatric or intellectual disabilities, or by substance abuse (Mendes 1997: 180). Another practice deficit is the unsatisfactory management of adolescent clients. Many adolescents known to, or in the care of, the Department, appear to be exposed to homelessness, substance abuse, and/or criminal activities (Auditor-General 1996: 268-270; Fogarty 1993: 33-38). It would appear that the most obvious contributing factor to these problems has been poor staff retention rates and lack of experienced practitioners in the service. According to the Auditor-General, (1996: 87) the turnover of child protection workers was approximately 30% in the two years preceding his report and 55% of all current field workers had less than two years experience. An internal inquiry into the death of one of the children in the Department's care found that in the regional office dealing with that case, 63% of staff had less than twelve months experience (*The Age*, 1996: 1).

The consequences of poor staff retention rates include inadequate knowledge of existing cases and greater susceptibility to what Goddard calls the 'Stockholm syndrome': inexperienced workers lacking effective or consistent supervision being more likely to be intimidated by violent and aggressive clients into minimising or denying the risk of abuse or neglect. As a consequence, children may continue to be abused even after involvement by the Department (Goddard 1996: 147). Another related concern is the policy of screening out cases (particularly those of emotional abuse and neglect) considered to be less serious

in order to concentrate on the much smaller number of cases where children are at immediate risk of serious harm (Clark 1993: 188). The remaining cases, which make up the majority of notifications, are then referred to the non-government sector for appropriate monitoring and support. According to official figures, only 7% of cases require Court action (Department of Human Services 1996: 27); however, it is still important that all reports receive adequate assessment before decisions are taken to continue or discontinue involvement. Currently this does not appear to be happening, as 32% of notifications are renotifications. The potential consequences of such inaction are that cases of chronic neglect can have extremely detrimental long-term effects on children, and parents who neglect and/or emotionally abuse their children are also potentially more likely to inflict physical or sexual abuse on their children (Tomison 1995: 5).

Another difficulty faced by child protection workers is the potential clash of, and contradiction between, parental rights and civil liberties vis-a-vis the rights of the children. This clash is implicit in the relevant legislation which refers to both the need to "give the widest possible protection and assistance to the family as the fundamental group unit in society", and the need to give "paramount consideration" to the "welfare and interests" of the child (Children and Young Persons Act 1989: 65-66). This prescription means that workers are constantly left to walk a tightrope between community standards which, on the one hand, demand that parents be allowed by the state to parent and discipline their children as they see fit, and on the other, expect state authorities to protect children from harm by these same parents (Scott 1993: 5). This dilemma has had the effect of increasing the recourse to legal proscription in suspected abusive situations. The significance and social functions of the law take on an added importance in periods of uncertainty where there are

particular problems concerned with managing situations of conflict. In situations where conflict is heightened and where social cohesion and individual rights are experienced as being under threat, social responses take on a legalistic form (King and Piper 1995; King and Trowell 1992). Classic examples of this contradiction can be seen in the extensively reported Katy Bolger and the Children of God cases. In the former, much media criticism was directed at protective workers for waiting for the necessary court warrant instead of forcibly (and illegally) removing the child earlier in the day when she was still alive. Yet in the latter case, workers were perceived to have too easily overridden the rights of parents, subsequently receiving the opposite criticism: that civil liberties were being abused by the inappropriate removal of children (Caddick 1992: 12).

As Mendes points out (1997: 184) allowing the media to set the child protection agenda can have serious consequences. Media reporting of child abuse usually reflects what has been described as a 'moral panic' (Cohen 1980: 9). Moral panics occur when a society is exposed to threats to its traditional institutions and values by allegedly deviant or subversive groups, or 'folk devils' as Cohen (1980: 9) described them. These folk devils are isolated and censured by social institutions such as the popular news media in order to reinstate and confirm the traditional social values that are judged to have been transgressed. In the case of child abuse, both the abusive parents and the protective workers who failed to protect the children from violent deaths have been designated as 'folk devils'. The workers are labelled as 'bungling and incompetent wimps' when they do not act decisively enough to protect children from abusive caregivers, or alternatively as 'zealots' or 'child stealing bullies' when they remove children too hastily (Kitzinger 1996: 320-321).

Much of the prevailing media reporting runs the risk of distorting the public's

understanding of the causes of, and possible solutions to, child abuse. In particular, the media tends to be sensationalist, to advocate simplistic solutions to complex and long-term problems, to divert attention from the overall child abuse system to a few individual and not necessarily representative cases, and to seek scapegoats (Franklin and Parton 1991:24-29; Parton 1985:88). Concern about possible media coverage and criticism can and does provoke poor child protection policies and legislation and defensive practice (Scott and O'Neil 1996: 105-106).

Scott and Swain (2002: 4) assert that the last 15 years has seen the politicisation of child welfare largely fuelled by the media. It has driven the system to be defensive and to inspire community hatred of parents who abuse their children. Scott and Swain (2002: 6) also warn that there is a danger that the media will fuel the forces of ugly populism, as recent tabloid inspired vigilante attempts to expose paedophiles and people falsely believed to be paedophiles have demonstrated. The escalation in the rate of notifications as a result of media-inspired moral panic is counterproductive. It clogs the system and stops those children who need an urgent response from receiving it. It also leaves families who have been found not to have abused their child reluctant to use services which they may need because of the fear that they may be reported.

In the 1990s, with the closure of residential facilities and the attempt to meet the dramatic cuts in budgets, foster care again emerged as a significant mode of service. There is scepticism about the embracing of foster care as a cheaper alternative to residential care (Bath 1994: 4). Bath (1994: 8) also notes that Australia has a higher reliance on foster care compared to placement patterns of other western countries. There has also been concern

expressed that the decline in numbers of children in care is mirrored by an increase in the number of homeless children and young people (Markiewicz 1994: 40).

Scott and Swain (2002: 20) go as far as to claim that the foster care system is in a state of crisis and that it can no longer provide vulnerable children with a secure and stable form of substitute care. One attempt to address this problem is a pilot project currently underway which seeks to place children on protection orders within their extended family network rather than with strangers (Hannah and Pitman 2002). This model incorporates elements of foster care and permanent care but is grounded in a family preservation paradigm (Hannah and Pitman 2002: 40). The program's distinctiveness comes from a focus on assessment of family dynamics, the attention given to the interface between different family and external systems and its orientation towards harnessing often disparate and disputing family elements into a cooperative team supporting the safe and lasting placement of a child.

In 1999 there was an unexpected change of government in Victoria. The name of the department responsible for child welfare was changed from Youth and Family Services to Community Care. A major statewide review of the role of the Community Care Division was undertaken during 2000-2001. This review found a field which was demoralised, disheartened and fearful (Carter 2002: 48). The report also suggested changes to the role of the child welfare system which has resulted in a change of orientation from single focus strategies (i.e changing the parent) to an ecological approach aimed at individual families and the whole community.

Also, in 2001, a report into a review of the deaths of children in the care of the child protection service was released (McCrae 2002). This report was based on an analysis of 14 infant deaths for the period 1995-1999. This report argued that the safety and well being of

newborns and infants is a collective responsibility shared by parents, extended family, professionals and child protection services. Collaboration between maternity services and child protection services is identified as crucial to ensure effective intervention for infants born into potentially high risk families (McCrae 2002: 72).

Simultaneously released, was a report of another review which examined the issues around the impact of risk assessment of a new baby where older siblings have been previously taken into care. (McCrae 2002). This report was based on an analysis of 14 cases of children who were known to child protection and who had died from 1989 to 2000. The report identified that a high percentage of these cases were categorised by long-term neglect where it was difficult to change dysfunctional parenting practices (McCrae 2002: 72). The existing service system in these cases was unable to provide the level of support these families required, as interventions were often short term without appropriately targeted learning strategies for stressed and at times resistant parents. These reports appear to advance a 'blame the victim' hysteria whereby the victims are assumed responsible for their own misfortune (Ryan 1972).

In November 2003, the latest of these many reports on child protection was launched. The report, *Protecting Children* (Allen Consulting Group 2003), puts forward suggestions for reform of Victoria's child protection system based on an analysis of the current situation and a review of both child-oriented and family services-oriented protective systems operating in OECD countries. It looked at the appropriateness of the existing legislation, policy and program frameworks that determine the directions and boundaries of current policy and program responses. This report purports to be different to past major reviews in that, while it focused on how to improve program responses in child protection within

Regardless of the bigger reform agenda, this review still feels like a 'fix the problem' enterprise rather than a broader vision. If we focus on secondary and tertiary sources, as the report suggests, before developing a sound base for desirable circumstances and outcomes for all children and families, we will develop systems that further marginalise. They will be services for parents having problems, rather than for people, who as part of their natural life-long learning, want to learn new ways of participating in their children's health and development. Young people will be seen as needing rescuing or regulating rather than as needing security and normality.

Child abuse risk assessment

Central to current thinking and embedded in policy is the assumption that child protection work is fundamentally concerned with the identification of 'high risk'. The primary focus of research, particularly in the UK, has been increasingly concerned with the development and refinement of policies, practices and technologies concerned with identifying 'high risk' and thereby differentiating and categorising cases. In theory, the identification of the actually or potentially 'high risk' individual or family provides the mechanism for ensuring that children are protected and unwarrantable interventions are avoided and scarce resources are allocated efficiently.

Much of the public criticism directed at child protection workers, often reinforced and fuelled by inquiries into child deaths and the media, assumes that tragedies and scandals occur because practitioners have failed - in part, due to their lack of knowledge about child abuse which a through grounding in the research and its findings would have given them (Parton et al. 1997: 46). Embedded in the notion of 'high risk' is not simply that cases of

abuse which a through grounding in the research and its findings would have given them (Parton et al. 1997: 46). Embedded in the notion of 'high risk' is not simply that cases of child abuse can be separated from the rest but that certain factors, characteristics or signs point to the potential for such abuse in the future. The science and technology of risk assessment are crucially based on the assumption that future harm can be prevented, predicted and eventually controlled. However, Parton et al. (1997) argue that such an approach is fundamentally misconceived - for while the risk factors help in informing more general preventative strategies, because child abuse is such a complex issue the skills, techniques or understanding for successful prediction have not been developed (Parton et al. 1997: 57).

Such attempts at prediction are bedevilled by what Dingwell (1989) called the 'definitional fallacy' and the 'statistical fallacy'. The definitional fallacy essentially relates to the failure of policy makers and practitioners to operationalise a clear and agreed definition of what constitutes child abuse. Dingwell (1989) argues that the definition of the problem has broadened considerably and the growth of research reflects the transformation of original concerns to embrace virtually any problem which may have an adverse impact on a child and can possibly be attributed to some act of commission or omission by an adult (Dingwell 1989: 29). The process of 'diagnostic inflation' has arisen whereby any form of unusual behaviour such as keeping pets when a child has asthma can be construed as abuse. Research has invariably failed to recognise this and, as a consequence, has often failed to approach its task in a neutral way by trying to account for the nature and incidence of particular forms of adult-child interaction and their consequences. It is then a subsequent and, essentially, political/moral question as to whether and which of these then constitute

rise no higher than two wrong judgements for every right judgement. Empirical support for the prediction of future harm is very small. Research on prediction falls down in terms of both its reliability and validity (Parton et al. 1997: 59).

At the conceptual and theoretical levels however, even more fundamental problems and criticisms become evident. The approach and its proposals for action are heavily dependent on the conceptual apparatus of positivism (Parton et al. 1997: 65). The approach takes for granted a scientific, neutral stance whereby society and human action are comparable to a natural organism. It is assumed that human action is determined by clearly identifiable factors.

There are two problems with such an approach. The first is the assumption that there is a moral consensus in society and everyone agrees not just that child abuse is a problem but also on what the nature and dimensions of the problem are. Also, while the complexities and difficulties associated with child abuse are now recognised, invariably it is assumed that there is an underlying reality of child abuse which is objectively given but which is often hidden (Parton et al. 1997: 66).

The second major problem associated with positivism is that the social world can be analysed and presented as 'out there' and individuals can be manoeuvred according to their best interests in some detached way. It reifies social phenomena without reference to the meaning for those who are party in some way to the processes involved. Human action, however, takes place in a context which is interpreted by all concerned. Human beings are not simply determined but actively construct their world and make sense of it (Parton et al. 1997: 67).

In 1998, Parton argued that, as a consequence of the refocussing of children's services

in the UK, new strategies have emerged which do not have as their central focus either meeting the needs of children or of responding to child abuse, but the assessment and management of risk. In selecting such a focus, such developments are in danger of overlooking a central characteristic of policy and practice – the management of uncertainty and ambiguity. As Parton explains;

Traditionally, social workers have been seen as 'experts' in working with uncertainty and ambiguity. We should try and devise strategies and practices which not only rediscover this perspective but which develop it in the future...In the process, we need to (re)think the nature of professional judgement and the way in which relationships between users and social workers are (re)framed. (1998: 23)

A variety of risk assessment procedures have been adopted by different Australian State/Territory child protection services. The most radical, such as the system adopted in South Australia, involve a series of brief checklists to not only determine levels of risk but also to determine service allocation (Tomison 1998: 4). In Victoria, a method of child protection practice which provides workers with the flexibility to respond to child abuse reports so that, theoretically, the response can be tailored to individual case requirements has been adopted, according to the Child Protection and Juvenile Justice Branch of the Department of Human Services. This approach, called *The Enhanced Client Outcome/Victorian Risk Framework*, (DHS Child Protection and Juvenile Justice Branch, 1999: 1) is aimed at promoting the following;

1. A focus on the safety and well-being of the child or young person.
2. The use of child-centred, family focused practice framework.
3. The value of the client's perspective.
4. The promotion of interagency relationships.
5. The promotion of professional practice.

This system is designed to offer a more efficient, less traumatising response for families

This system is designed to offer a more efficient, less traumatising response for families where there has been allegations of abuse such that only those deemed likely to involve significant harm of a child receive full forensic investigation and intervention.

However, doubts exist of the efficacy of risk assessment tools for identifying children at risk of serious harm due to reasons discussed earlier and to insufficient evaluation of the instruments (Camasso and Jaggannathan 1995; Lyons et al. 1996; Dalglish 1997).

Wald and Woolverton note that:

many agencies are adopting risk assessment instruments in lieu of addressing fundamental problems in existing child protection systems, such as the excessive number of incompetent workers and the lack of adequate resources. In fact, the use of inadequately designed or researched instruments may result in poorer decisions, because workers will rely on mechanical rules and procedures instead of trying to develop greater clinical expertise. (1990: 484)

At the moment of its modern re-emergence in the 1960s, child abuse was constituted essentially as medico-social reality, where the expertise of doctors was seen as central; increasingly, it has been constituted as a socio-legal problem, where legal-procedural expertise takes pre-eminence. Whereas previously the concern was with diagnosing, curing and preventing the 'disease' or syndrome, increasingly the emphasis has become investigating, assessing and weighing forensic evidence and the assessment of potential risk (Parton et al. 1997). All of these procedures focus on the individual and family. However, there is another approach which must be considered when reviewing the literature on child abuse. This approach focuses on the structural forces which contribute to the abuse phenomenon.

Structural accounts of child abuse

The focus on broader structural factors influencing the maltreatment of children arose when those using the individual disease or individual deviance model noticed that there were some factors beyond the control of the individual parent. The mother living in poverty who did not have the resources to care for her children, parents who came from generations of abusive families - these factors required more than individual treatment if they were to be changed so that the abuse could be prevented from re-occurring.

Perhaps the most critical commentator of established policy and practice on the international scene is the American David Gil (Parton 1985: 164). He has used his research in order to shift the ground rules for discussion about child abuse and neglect, and to construct a debate which is far more radical in its implications. Perhaps more than any other writer, he attempts to locate child abuse in a political economy that places primary explanatory significance on social and economic structure and the values and social processes that support and legitimate it. He demonstrates that the position of families in the socio-economic hierarchy is crucial to explain the degree of stress and frustration encountered by families. Inequality, by way of poverty and social isolation, is seen as the primary determinant of abuse (Parton 1985: 165). Gil (1970) derived his conclusions from an extensive nation-wide study in 1968 which provided a comprehensive demographic representation of child abusing adults and their victims. In the study he used as an operational definition "any non-accidental physical attack or physical injury, including minimal as well as fatal injury, inflicted upon children by persons caring for them" (1968: 20).

The results demonstrated quite clearly that child abuse was more likely among lower class parents. The results also showed that abusive adults tended to be poorly educated (Gil 1970: 40). In his summary of the characteristics of the families reflected by indicators of educational achievement, occupational position and status, income and assistance status,

number of children and housing, Gil concluded that families with low socio-economic background were over represented especially among non-white families. (Gil 1970: 206). An attempt was made to assess the seriousness of the physical injuries reported. Ninety percent of the reported incidents were not expected to leave any lasting physical effects on the children (1970: 137). From this Gil argued that:

The scope of physical abuse of children resulting in serious injury does not constitute a major social problem, at least in comparison with several more widespread and more serious social problems that undermine the developmental opportunities of many millions of children in American society, such as poverty, racial discrimination, malnutrition and inadequate provisions for medical care and education. (1970: 137)

Using the data from his studies Gil testified to a US Senate Committee. He insisted on the linkage of violent abuse to poverty, a stand that was not popular because of its implications for change (Hood 1997: 49).

Gil's argument received considerable support from research conducted by Elizabeth Elmer (1977). She compared abused children with children who had suffered accidents and matched them according to age, race, sex and socio-economic status. A second comparison group, matched according to the same variables, consisted of children with no recorded history of abuse and no reported accidents which would have resulted in hospital treatment before the age of one year. The study was designed to identify possible physical, developmental and behavioural differences between the groups in an attempt to identify the longer-term consequences of abuse. It was hypothesised that the abused children would score lower than the non-abused across a range of variables including height, weight, language development, intellectual functioning, emotional development, school achievement, aggressive behaviour and poor self-concept. Surprisingly, however, few differences were found. All the children showed developmental and social problems and

appeared depressed, anxious and fearful. All the groups (abuse, accident and comparison) exhibited the same behaviour and she deduced that "we are learning more about lower class children in general, and less about abused children in particular"(Elmer 1977: 206). Elmer concluded:

It was impossible to avoid the conclusion that abuse as one method of deviant child care did not appear to make a significant difference, at least in the population under study. In addition, our clinical observations had shown unanticipated pathology amongst most families in all the groups and evidence of considerable psychological damage in many of the children. What could be the common factor contributing to these widespread difficulties? We believe this factor is membership of the majority in the lower social classes, which connotes poverty and all its well known companions: poor education, menial jobs, inadequate housing, under nutrition, poor health and environmental violence. (1977: 273)

Gil has criticised traditional definitions which see child abuse as occurring and having its genesis within families for he defines child abuse as:

inflicted gaps or deficits between circumstances of living which would facilitate the optimal development of children, to which they should be entitled, and their actual circumstances, irrespective of the sources or agents of the deficit. (1975: 346).

Therefore, he argues that any act of commission or omission by individuals, institutions or the whole society, together with their resultant conditions which deprive children of equal rights and liberties, and/or interfere with their optimal development, constitute, by definition, abusive or neglectful or conditions.

Gil has proposed three levels of the manifestation of child abuse in the home, in institutions and in society (1975: 347). He emphasised that the psychological forces which shape the individual and cause child abuse evolve out of the totality of life; the historical, cultural, social, economic and political. The proposed levels of causation of child abuse were summarised as:

1. **The philosophy and value premises of society.** Full and free development of every

actualisation is implicit in egalitarian philosophy. In a society organised on non-egalitarian and competitive principles, full and free development for all children is simply impossible, as, by definition, there must always be losers in such societies, whose chances to realise their inherent potential will be severely limited. Hence significant developmental deficits for large segments of the population or high levels of socially constructed and sanctioned abuse of children are endemic in such societies (1975: 350).

2. **The social construction or definition of child abuse in a society.** How does a society view its children and define their rights? How much obedience, submission and conformity does it expect of children? Does it process children through caste-like channels of socialisation into relatively closed and inflexible social and occupational structures, or does it encourage them, within limits of reason, to discover and develop their individuality and uniqueness and to shape their lives accordingly? Presently, in society, social policies that sustain different levels of rights for children from different social and economic backgrounds are a major, direct cause of many forms of child abuse on societal and institutional levels, and an indirect cause of abuse on the family level (1975: 351).
3. **The society's attitude to the use of force as legitimate.** The use of force is linked to inequality in relationships. The readiness to use force in adult-child relations is intimately linked to society's basic philosophy and value premises, and to its concept of humans and their rights. A non-egalitarian philosophy is more likely to sanction the use of force than is an egalitarian one, since the use of force against other humans constitutes the strongest negation of equality. Whenever corporal punishment in child

of force than is an egalitarian one, since the use of force against other humans constitutes the strongest negation of equality. Whenever corporal punishment in child rearing is sanctioned, incidents of serious physical abuse and injury are bound to happen (1975: 352)

4. **The triggering context.** Abusive attacks tend to be triggered by stress and frustration. One major cause of stress and frustration is poverty and its correlates such as high density, dilapidated housing in inadequately served neighbourhoods. Social policies which sanction and perpetuate the existence of poverty are indirect causes of child abuse in the home. Another source of stress and frustration is the alienating quality of society's economic and productive system complemented by the culturally sanctioned use of physical force in child rearing (1975: 353).
5. **The intrapsychic concepts and the inter-personal level.** Noting that previously the child abuse literature largely focused on the intrapsychic dimension of child abuse perpetrators. For Gil, what needed to be stressed is that psychological disturbances and their manner of expression are deeply rooted in, and constantly interact with, forces in the social environment of the disturbed individual. The symptoms of emotional disturbance and mental illness are not randomly generated phenomena, but derive from normal behavioural traits in culture. These normal traits appear in exaggerated or negated forms of behaviour which is considered deviant, neurotic and psychotic. It follows from these considerations that child abuse associated with psychological disturbance are not independent of societal forces although the perpetrators of these acts may be emotionally ill individuals (1975: 353).

Gil argues that effective prevention of child abuse requires working simultaneously

illusions as to the effectiveness of such piecemeal efforts. Gil (1975: 355) explains that:

There is simply no way of escaping the conclusion that the complete elimination of child abuse on all levels of manifestation requires a radical transformation of the prevailing unjust, inequalitarian, irrational, competitive, alienating, and hierarchical social order into a just, egalitarian, rational, cooperative, humane, and truly democratic, decentralised one. Obviously, this realisation implies that primary prevention of child abuse is a political issue which cannot be resolved through professional and administrative measures.

The consequence of the more limited definition of child maltreatment has implications for child welfare practice. Many social workers in child welfare and child protection view abuse and neglect of children as due mainly to personal attributes of their parents or parent substitutes (Gil, 1998: 108). They consider these caretakers, therefore, responsible for incidents of abuse and neglect in which they are involved, and expect them to change or lose custody of their children.

Gil argues that abuse of children by their parents is frequently associated with abuse of the parents by society:

Such "societal abuse" tends to effect millions of families through unemployment, discrimination, poverty, malnutrition, homelessness, developmental deficits, ill-health, inadequate education and social deviance, as well as through stressful conditions of everyday life, especially at places of work. (1998: 109)

In spite of these circumstances, protective workers usually convey, explicitly or implicitly, punitive and threatening measures to parents who are involved in incidents of child abuse or neglect. The essence of these messages is that parents are 'bad' - for if they were not, their children would not be abused and neglected. Further, unless they change and correct their child rearing patterns, their children will be removed from 'at risk' homes. Such messages, even when expressed sensitively by skilled social workers, tend to result in antagonistic relations between parents, social workers and protective services.

Implicit in these messages are claims that society is 'good', is concerned with

children, and is free from guilt regarding their conditions. Reality is different, however. Society, as now constituted, is guilty of massive child abuse and neglect since prevailing social policies doom many families to conditions that make adequate child care impossible (Gil 1998: 109).

As a counter to the emphasis on the focus on the individual, Gil offers suggestions for what he terms "radical social work practice" (1998: 108). He suggests that radical social workers see child abuse as 'counterviolence' by troubled parents who react to 'societal violence' which obstructs the fulfilment of their common human needs. Such societal violence should be viewed by radical practitioners as intrinsic to unjust and oppressive societies whose instrumental systems involve domination and exploitation (1996: 79). He also suggests that radical social workers, although not condoning abusive acts, avoid punitive and threatening messages, and accept the parents who are trapped in vicious cycles of societal violence and counterviolence. Parents who have been hurt deeply by society may hesitate to trust social workers who are the agents of the very society that continually hurts them. Radical social workers should understand and expect these difficulties and avoid reacting angrily (Gil 1998: 111).

The theoretical perspectives and practice principles of radical social work conflicts with the laws and policies that regulate protective services and with social work practices which are derived from these laws and policies. Gil (1998: 111) implores radical social workers to face these conflicts openly and honestly, with the agencies that employ them and with the parents and children whom they serve, rather than pretend to conform to agency policies and act covertly against them).

Gil also lists certain themes which should inform radical social work practice with families, children and the institutions who work with them such as counselling services, mental health services and court and correctional services. The themes are summarised as follows:

- exploring issues and solutions people present;

follows:

- exploring issues and solutions people present;
- helping people trace links between their issues and individual, social, economic, political and cultural dynamics;
- acknowledging people's strengths and helping them move beyond defensiveness, guilt, and self-blame toward self-affirmation and self-empowerment;
- supporting people's use of their own energies and resources, along with available social services, toward meeting their human needs;
- supporting development of trust between people and their social workers;
- facilitating emergence of critical consciousness concerning personal and social realities, and concerning people's capacities those realities through collective action;
- discussing openly the social workers political views and values in opposition to domination and exploitation, the sources of societal violence, and of individuals and social problems;
- helping people channel their frustration and anger, caused by societal violence, into constructive involvement with organisations and movements pursuing social justice and human liberation (Gil 1998: 112).

As has been alluded to on numerous occasions in this review, poverty, social deprivation and economic disadvantage have a considerable influence on the quality of child care in families. Parton (1985: 171) explains that "apathy, depression and a sense of helplessness are amongst the feelings that families often report resulting from their struggle to manage financially". This is further elucidated on by Brown and Madge

The monetary consequences of poverty, which include disconnection of fuel supply and acute shortages of cash to buy food or clothe children adequately, must create situations where children are not properly cared for in a material sense. And the psychological consequences of chronic anxiety and despair

are hardly conducive to happy child rearing. (1982: 160):

As a consequence, the force of poverty compels parents to lower their expectations for the success of their child rearing. A poor social environment combined with personal attributes reinforces a self-perpetuating relationship between the two, so that the resultant stress:

May result in feelings of failure, total loss of self-respect, or even paranoid feelings of persecution, and these states of mind in turn may lead to loss of motivation, suicidal actions, or aggressiveness and homicidal tendencies. When family failure eventually leads to contact with the Social Services it is not surprising that in many cases personality attributes are seen as the main 'causative' factor (Wilson and Herbert 1978: 183).

Thus, social and economic stress, which is directly related to the structure of inequality, has direct consequences for the well-being of children in poor families. People feel their poverty more when it affects their children, and they are invariably more humiliated by their failures when they affect their dependents.

The focus on the personal attributes of the parents reinforces the notion that child abuse is to be found amongst all socioeconomic groups and distributed proportionately among the total population. The impression that the problem of child abuse is democratic is conveyed by professionals writing in academic journals, and to the public through the news media, despite clear evidence to the contrary (Pelton 1978: 608). Pelton has challenged this 'myth of classlessness', demonstrating with the results of numerous surveys that:

substantial evidence of a strong relationship between poverty and child abuse and neglect currently exists. Every national survey of officially reported child neglect and abuse incidents has indicated that the preponderance of the reports involves families from the lowest socioeconomic levels. (1978: 609)

He argued that the myth exists because it permits professionals to view child abuse and neglect as psychodynamic problems in the context of treatment and cure rather than as mainly sociological and poverty-related problems for there is more opportunity to obtain

poverty. Pelton also pointed out that well meaning health professional may be trying not to stigmatise the poor but this undermined effective approaches based on reality (1978: 614). He argued that the myth of classlessness serves as a smokescreen as it blinds us to the real poverty related problems of most abuse and neglect cases.

In the UK, Parton has been the leading exponent of the structural approach to child maltreatment. He has also argued that child abuse is strongly related to class, inequality and poverty - maintaining that locating the problem in terms of structural factors has important implications for the way we define the problem, the way we explain it, and the best way of doing something about it.

The common assumption is that the state acts in 'the best interests of the child'. However, he argues that the state does not necessarily act in the best interests of children and families, and that welfare professionals possess far too much ill-defined discretionary power (1985: 176). Parton emphasises the role of ideology and how various ideologies have constructed policy and practice. By ideologies he means "the general assertions that are held about human behaviour, its cause, and how to change it" (1985: 14). He identifies three ideologies: the penal, the medical and social welfare model. The penal model is based on the assumption that "individuals are in essence free, rational and self-seeking and freely enter into a contract with the State to preserve harmony" (1985: 15). Thus, it is incumbent on the State to use punishment to deter individuals from violating others interests. Because individuals are responsible for their actions, all are equal before the law and mitigating circumstances are not admissible.

The medical view is based on very different assumptions. Its assumptions are deterministic, so that "the central concern is not whether individuals are responsible for

their actions but what caused those actions in the first place" (Parton 1985: 15). As a consequence, attempts to modify behaviour involve some form of treatment. The problem behaviour is seen as a symptom that draws attention to a more intractable disorder, disease or syndrome. When the problem is primarily behavioural or social, the explanation is to be found in the personality or family background of the perpetrator.

The social welfare model assumes that while "behaviour is determined and the emphasis should be on treatment, the explanation offered and the intervention preferred is more in terms of relationships, the family and social malfunctioning" (Parton 1985: 16). Problems are seen as the outcome of social disadvantage acting upon people without the emotional, family or community strengths to overcome them. Parton also proposes a form of the social welfare model that conceptualises the problem in collective or structural terms. This radical social welfare account differs from the medical and individualised social welfare approach, which suppose that those experiencing problems are no different than anybody else. Parton (1985: 16) suggests that the problem arises from two sources. Firstly, the selection process -whereby some people are identified by social workers, psychiatrists, the police and so on - is seen as biased and skewed against the marginalised and deprived. Secondly, economic and social inequalities in society put sections of the population at greater risk of insecurity and poverty. It is not that individuals cause and are responsible for this, "the responsibility lies with society and more generally, and with those who control the social, political and economic power more particularly" (1985: 16).

Parton (1985: 185) advocates a framework for practice that attempts to be progressive and which takes seriously the structural factors associated with abuse. He suggests that there needs to be not only a fundamental reconceptualisation of child abuse but a new form

of relationship between the family and the state. Supporting the radical social welfare view, he asserts that it is crucial that child abuse not be continually defined as a pathological problem affecting a few individuals and families which can be predicted in some scientific and technical way. Echoing Gil (1970), he avers that:

Child abuse is primarily associated with the stresses and insecurities of certain deprived sections of the community which arise primarily from structural inequality. Therefore if we are serious about the problem we have to look at far more wide ranging forms of social reorganisation than has ever been put on the agenda. The individualisation of familial units, the cultural legitimacy of violence in families and the power relations involved all require radical change. (Parton 1985: 183).

In Australia, a leading proponent of the structural approach to child abuse, and social problems in general, is Adam Jamrozic (Jamrozic 1991; Jamrozic and Boland 1993; Jamrozic and Sweeney 1995; Jamrozic and Nocella 1998; Jamrozic 2001). The theory developed by Jamrozic and Nocella (1998) suggests that certain social problems threaten dominant power structures to the extent that social or political problems are converted by these power structures into personal problems. A social problem is interpreted as a form of negative residue that logically emerges from the everyday pursuit of dominant values and interests (Jamrozic and Nocella 1998: xi). They explain that social problems by their very nature can be adequately explained only in the context of the society within which they occur, pointing out that most social problems do not occur in, or are not experienced at the same frequency throughout the entire social structure. Problems such as violence, poverty, unemployment and child abuse (to name but a few) are social phenomena that occur with greater or lesser frequency among certain population strata identified by social characteristics like income, education, occupation and other attributes of social class (Jamrozic and Nocella 1998: 3). As a consequence, even though the causes of social

problems experienced by some people rather than others can be explained by the way in which social resources are distributed, those who experience social problems with more intensity and frequency than others tend to be regarded as responsible for the problems they are experiencing. Therefore:

Such shifts of perceptions, from the social nature of the problem to the population experiencing the problem, distract attention from societal arrangements and effectively confirm and validate the legitimacy of these arrangements, thus validating a given social system and its structure of power. In effect, because social problems tend to be experienced more frequently in the 'lower' classes of the population, they are perceived in class terms. However, in that perception, the class structure of society is concealed because the problems are explained by the personal characteristics, real or imputed, of the effected population and little attention is given to the problems' structural character. (Jamrozik and Nocella, 1998: 4)

As social problems are the 'negative residue' arising as a consequence of mainstream activities connected with the pursuit of dominant values and interests, the resulting dialectical relationship is described metaphorically by Jamrozik and Nocella (1998: 6) as "each silver lining has a cloud". They also argue that the existing methods of intervention serve to legitimise the current structural arrangements in such a way as not to disturb the pursuit of dominant values and interests. Consequently, they suggest a framework for the study of social problems, namely the identification of:

1. The dominant values and interests in society, and the structural and cultural arrangements through which these values and interests are pursued.
2. The social condition that emerges from these pursuits and is perceived as a social problem.
3. The intervention methods aimed at solving, attenuating, controlling or legitimating the condition.
4. The social actors who play their various roles in the identification and interpretation of the condition, and in applying the intervention methods. (Jamrozik and Nocella 1998: 79)

Child welfare services have always been motivated by what is referred to as 'the best

4. The social actors who play their various roles in the identification and interpretation of the condition, and in applying the intervention methods. (Jamrozik and Nocella 1998: 79)

Child welfare services have always been motivated by what is referred to as 'the best interests of the child'. However, what constitutes 'the best interests of the child', as explained by Jamrozik (2001: 208), is decided on criteria based on the values of dominant interests and expressed in intervention methods directed at the behaviour of the lower classes. Dominant interests in this case relates to those who have:

The power to create and influence social structures, to maintain and reproduce them, and, in return, to receive rewards measured through command over economic resources on the market, based upon property rights and social rewards of status and privilege. (Raskall 1994: 3)

The professionals involved in the child protection system, particularly those concerned with investigation, regulation and therapeutic intervention, are drawn mainly from this sector of society. On the other hand, those who constitute the focus of intervention are mainly situated in what Jamrozik (2001: 229) describes as the 'human residue' of the market economy – those who have no power or influence and no command over economic resources, thus little status and no privileges.

On the other hand, professionals within the child protection system come from the middle class strata of society. This leads to an increasing class division between the professionals who provide the service - social workers, psychologists, medical practitioners, lawyers - and the recipients of their services resulting in an 'us and them' relationship. Such contrasts lead professionals to a perspective of child abuse based on the pathologising of individuals. As Jamrozik (2001: 211) explains, "the abusive parent and the family are therefore effectively taken out of societal context and child abuse is *no longer a social problem but a problem of deviant behaviour*" (original italics). As Jamrozik (2001:

194) further explains, "professional workers enter the field of practice with a well-established view on a 'two-tier society' that will be confirmed for them in...encounters with their 'clients' from that 'other world' " Jamrozic (2001: 225) concludes that "class based attitudes and policies and practices in service delivery and the corresponding inequality these policies and practices generate and maintain, appear to be as well entrenched as ever before".

Discussion on the two perspectives

As the review illustrates, state intervention in child abuse can be regarded from two basic perspectives. Left-liberal critics of state intervention depict child protection as being principally about the regulation and social control of poor families, rather than the protection of abused children (Jamrozic and Sweeney 1996: 89-101; Van Krieken 1992: 15-22). This not to deny the existence or severity of child abuse; rather, that much of it can be attributed to poverty, patriarchal family systems and societal structural disadvantage, rather than the individual deficiencies of the parents. The general argument is that rather than blaming and punishing the parents, who are already victims of the conditions as outlined above, child welfare authorities would do better to place more emphasis on addressing and preventing the broader structural causes of child abuse, instead of focussing resources on the investigation and policing of poor (often single parent) families. (L'Hullier 1994: 22; L'Hullier 1996: 15; Thorpe 1996: 126).

However, critics of this structural approach have pointed out that in some circumstances it may fail, at least in the short term, to protect individual children from neglect and emotional abuse at the hands of individual carers (Parton 1985: 173; Akenson

and Klein 1992: 9). Mendes (1997: 183) points out that two key factors in particular render the structural analysis approach inadequate on its own. The first is that, whilst many poor working-class families are exposed to stressors such as poverty, unemployment, inadequate housing, violent neighbourhoods, and so forth, most families subjected to these experiences do not abuse or neglect their children (Merrick 1996: 29-30). Second, the personal characteristics of some caregivers may also prevent them from accepting or utilising structural supports that are offered. For example, those who suffer from substance abuse or intellectual or psychiatric illness may be incapable of benefiting from support networks. In such cases, placement of a child with alternative carers may be the only safe option (Thompson 1995: 72-75).

From an opposite perspective, conservatives emphasise the individual characteristics of child abusers and ignore the structural causes. The existence of child abuse is not denied, but the fact that child abuse can and often does take place in traditional families is difficult to accept. As conservatives attribute child abuse to social changes allegedly undermining the traditional family such as divorce, homosexuality, sex education, abortion and working mothers, they argue that the most important means of preventing child abuse is the preservation and strengthening of the traditional family. They associate child abuse not with 'normal' two-parent families, but rather with deviant groups such as the psychiatrically ill or with paedophiles (Lyons Forum 1995: 13-14). However, as Mendes (1997: 183) again points out, and as the history of child abuse previously described shows, child abuse took place long before the emergence of the so-called 'permissive' society. Most adults who physically, emotionally or sexually assault children are not strangers or lurking paedophiles, but rather fathers and mothers, both as natural parents or stepparents.

Conclusion

What is considered child abuse for the purposes of child protection policy and practice is much better characterised as a product of social negotiation between different values and beliefs, different social norms and professional knowledge and perspectives about children, child development and parenting (Parton et al.1997: 67). Child abuse, far from being a medico-social or socio-legal reality, it is a phenomenon where moral reasoning and moral judgements are central. As Dingwell, Eekelar and Murray argued:

Practitioners are asked to solve problems every day that philosophers have argued about for the last two thousand years and will probably debate for the next two thousand. Inevitably, arbitrary lines have to be drawn and hard cases decided. These difficulties, however, are not a justification for avoiding judgements. Moral evaluations can and must be made if children's lives and well being are to be secured. What matters is that we should not disguise this and pretend it is all a matter of finding better checklists or new models of psychopathology - technical fixes when the decision is a decision about what constitute a good society. (1983: 244)

Both the individual view of child abuse and the structural view regard the focus of their attention as objects. In the case of the former children are seen as 'victims' or objects in need of 'rescuing', parents are seen as 'sad', 'sick' or 'bad'. In the latter case reifying terms such as 'structure' and 'society' reduce the actors in the social phenomenon of child abuse to 'cogs in a wheel' so to speak. What is needed is a model which has regard for the phenomenon as an intersubjective exercise and which regards the moral and ethical dimensions of the phenomenon as paramount. It is for this reason that the critical theory of Jürgen Habermas has been chosen as the methodological foundation for this research. This theory will be discussed in the following chapters.

theory will be discussed in the following chapters.

¹ Garton (1982: 161) explains, "there was general agreement across a broad political spectrum that the state was a tool that should be used more extensively for the reconciliation of social conflict and the amelioration of its consequences."

² "Scientists and physicians have a scientific inventiveness which seems capable of mastering the universe...we hold them as impartial, humane, and above all objective...yet scientific solutions are often laden with their own biases, such as insensitivity to the value of liberty, and a moral vacancy around the rights of children and minorities" (Breggin 1994: xvi)

Chapter 4

The System/Lifeworld Nexus

The relations between actors in the child welfare field are based on intersubjective interactions involving social negotiation between different values and beliefs, different social norms and professional knowledge and perspectives about children, child development and parenting practices. To assist in exploring the ramifications of these interactions, the work of Jürgen Habermas can be utilised for analytic purposes, particularly *The Theory of Communicative Action*, (1984, 1987). Habermas's notion of 'communicative rationality' is intrinsically dialogical and primarily concerned with intersubjective relations:

This concept of *communicative rationality* carries with it connotations based ultimately on the central experience of the unconstrained, unifying, consensus bringing force of argumentative speech in which different participants overcome their merely subjective views and, owing to the mutuality of rationally motivated conviction, assure themselves of both the unity of the objective world and the intersubjectivity of their lifeworld. (Habermas 1984: 10)

Jürgen Habermas is a major figure in the Critical Theory school of sociological thought, the principal exponent of neo-critical theory - "the major contemporary heir to the Frankfurt inheritance" (Bottomore, 1984: 55). The primary focus of the Frankfurt School was on "diagnosing the ills of modern society (the things that prevented people's fulfilment) and identifying the social changes that were necessary in order to produce a

just and democratic society" (Layder, 1994: 186). Habermas is also concerned to extend such lofty ideals, as Pusey (1987: 14) points out:

For Habermas the intellectual life is not a game, or a career, or a cultivation of wit or taste, or even 'learning for learning's sake'....The single purpose of the work is to anticipate and to justify a *better* world society - one that affords greater opportunities for happiness peace and community. Since Habermas is also a rationalist the *better society is the more rational society*, in short, a society that is geared to collective needs rather than arbitrary power.

Habermas's work has been of considerable influence in a broad range of academic and societal endeavour. His work has been applied in such diverse areas as economics, government planning, ethics and moral development, culture, and social theory and research methodology (Flores 1979; Grossberg 1979; Pusey 1993; Wilson, 1979; Youniss 1981). His work on human knowledge, communicative action and legitimation crisis provides a valuable theoretical framework and considerable insight with which to understand and respond to with the operation of society and the dynamics of social life.

Habermas has drawn upon a wide variety of theorists for the formulation of his ideas including Marx, Weber, Durkheim, Mead, and Parsons, as well as psychologists such as Freud, Piaget, and Kohlberg. However, he has been able to avoid some of the shortcomings of their work.

Unlike Weber, Habermas is more optimistic about modernity. Weber believed that the hopes and expectations of the Enlightenment period were illusory, that the legacy of this phenomenon was 'instrumental rationality', the view that the world is a set of tools to achieve ends. From an instrumental perspective, science can provide knowledge to produce an electronic prod, but it is of no concern to science whether the prod is used to move cattle or to torture people. Therefore, to Weber (Bernstein 1985: 5), the growth of instrumental rationality "does not lead to the concrete realisation of

human freedom but to the creation of an 'iron cage' of bureaucratic rationality from which there is no escape". Habermas disagrees with Weber's sceptical view. He believes that the Enlightenment project is still incomplete, that the present stage of modernity is but one stage along the way towards the rigour of scientific rationality and human freedom. As such, there is the possibility that other forms of rationality exist within modernity, in particular that entailed by the concept of communicative reason.

Habermas also offers a critique of Marx in order to refine his own version of a Critical Theory of society. The fundamental shortcoming in Marxist theory is that society is reduced to the conflict between capital and labour. Consequently, as May (1996: 141) explains:

The social self is then linked to the environment in such a manner that there is no social sphere in which people might reflect upon their situation...therefore, a desire for recognition and the pursuit in understanding in human relations is reduced to instrumental action as represented by labour.

This instrumental view, which places the object above the subject within the subject-object dualism of social theory, does not allow for human actions such as interpretation, reflection and understanding which are independent of the labour process. As McCarthy (1976: xix), in the "Introduction" to his translation of Habermas's *Legitimation Crisis*, points out:

for Marx, the reproduction of the human species takes place primarily in the dimension of the reproduction of the material conditions of life. In capitalist society in particular, all social phenomena must ultimately be explained in terms of their material, that is, their economic base.

For Habermas, as with Weber, Marx's explanation of social life is incomplete because it does not take into consideration an analysis of the evolution of human learning and understanding. However, Habermas (1989: 297) has attempted to build

upon and extend the work of these two social theorists in the development of his own theories:

Occidental rationalism arose within the framework of bourgeois capitalist societies. For this reason, following Marx and Weber, I have examined the initial conditions of modernization of societies of this type and have traced the capitalist path of development.

As a consequence, Habermas challenges the reductionism inherent in Marxism and the previous attempts of the Frankfurt School to analyse society. He proceeds to present a descriptive model of advanced capitalism and to distinguish four principal crisis tendencies; namely, economic, rationality, legitimation, and motivation (Habermas 1976: 33-94). Habermas offers the following model as a means of understanding and analysing advanced capitalism):

I maintain that advanced capitalist societies, assuming they have not altogether overcome the susceptibility to crisis inherent in capitalism, are in danger of at least one of these possible crisis tendencies. It is a consequence of the fundamental contradiction of the capitalist system that, other things being equal, either

- the economic system does not produce the requisite quantity of consumable values; or,
- the administrative system does not produce the requisite quantity of rational decisions; or,
- the legitimation system does not provide the requisite quantity of generalized motivations; or,
- the socio-cultural system does not generate the requisite quantity of action-motivating meaning. (Habermas 1976: 49)

These crises occur within an overall system that contains three sub-systems: the economic, the political/administrative, and the socio-cultural. Habermas argues that a crisis may occur if any of these sub-systems fails to produce the requisite quantity of what is needed to contribute to the whole.

In the economic system those enterprises exist for production and profit. The State, the 'public sector', is dependent on the private sector for revenue. The State

must maintain mass loyalty of its citizens, and does this by providing services such as health, welfare and education, which provide legitimacy to the system as a whole. If taxes are reduced, services must be reduced, therefore inducing a crisis in legitimacy as the fundamental system is questioned. As Pusey (1987: 96) points out:

A fully blown legitimation crisis would threaten the whole of the state apparatus with disintegration and perhaps also produce either a change in the organizational principle of the society or else a regressive state of authoritarian repression.

The ideology that the state seeks to promote is designed to serve the interests of one class over another. In the modern rational state the political system becomes complementary to the market economy "the propelling mechanism of the economic system has to be kept as free as possible from lifeworld restrictions as well as from demands for legitimation directed at the administrative system" (Habermas 1987: 354). On an external level, the state serves to insure, by political means, the territorial integrity and competitiveness of the domestic economy. Internally, "economic exchange becomes the dominant steering medium" and the state acts to insure the stability of the capitalist economy through such avenues as (a) "the protection of bourgeois commerce in accord with civil law (police and administration of justice)"; (b) "the shielding of the market mechanism from self-destructive side effects (for example, legislation for the protection of labour)"; (c) "the satisfaction of the prerequisites of production as a whole (public school education, transportation and communication)"; and (d) "the adoption of the system of civil law to needs that arise from the process of accumulation (tax, banking and business law)" (Habermas 1974: 21). These social processes have to be normalised so that social organisation seems to be legitimate. However, if it becomes recognised that the system is geared to private interests rather than collective needs,

conformity and loyalty are liable to be questioned, thus producing a crisis of legitimacy. To avoid such a state of affairs, the state pretends to be attuned to the needs, or as Habermas calls them the "generalized interests", of the populace through pseudo-compromises (Habermas 1976: 112). In complex societies pseudo-compromises are an important form of legitimation; however, they are only short-term expediencies, designed to smooth over contradictory demands, which only lead to frustration and resentment.

For Habermas, the analysis of society and its developmental tendencies starts at the bottom, as it were, with the idea that social action focuses on the intersubjective achievement of shared understanding. This shared understanding is realised by a type of action which he calls *communicative action*.

Communicative action is intrinsically *dialogical*. The starting point for an analysis of the pragmatics of speech is the situation of a speaker and a hearer who are oriented to *mutual* reciprocal understanding: a speaker and hearer who have the capacity to take an affirmative or negative stance when a validity claim is challenged. (Bernstein, 1985: 18)

The distinction between communicative action and non-communicative action can be illustrated with an example drawn from everyday child protection practice. Imagine the case in which a child protection worker confronts a parent where the family is being investigated for suspected child abuse. There is concern on the child protection service's behalf that the child is in danger of abuse from the parent's boyfriend who frequently behaves violently towards the mother. The worker tells the parent that she must have the boyfriend removed from the home or further action will be taken with regard to the child's safety. The parent is advised to take out an intervention order against the boyfriend or the child may be placed in foster care. The parent, although fearful of

having her child removed, argues that she is unwilling to do so, offering various reasons which are ignored by the worker. Habermas calls the action of the worker *strategic action* because it is oriented to success (in this case the safety of the child) by removing one subject (the boyfriend) for the sake of others. The suggestion that the parent take out an intervention order is *instrumental action*. It is orientated towards achieving an end by procedural means. Strategic action can be appraised "from the standpoint of the efficiency of influencing decisions of rational opponents" (Habermas 1982: 264). Action oriented towards reaching shared understanding, Habermas calls communicative action. It is a "form of social action in which plans of actions of different actors are coordinated through an exchange of communicative acts, that is, through a use of language (or corresponding non-verbal expressions) oriented toward reaching understanding" (1982: 234). To reach understanding means that the partners in interaction set out, and manage, to convince each other, so that their action is coordinated on the basis of motivation through reason. Clearly, in the example above, the action of the worker is not oriented to this end as the worker refused to engage in discussions of the parent's concerns.

It should be emphasised that Habermas does not deny that individuals participating in communicative action have individual ends but only that, if these are pursued under the conditions of a communicatively-produced consensus regarding a given situation, they have to make use of language in a manner oriented to reaching understanding (Habermas, 1982: 237).

It should be noted that speech is not identified per se with action but it provides the mechanism for the coordination of action. This differentiates it from strategic action

that is oriented to egocentric calculations of success and is coordinated on the basis of interests that can be found in market situations or in bureaucratically structured arrangements. Since the present social economic order is characterised by structural inequality, this implies that motivation is not based on the conviction that justice is being done all round. It can be in somebody's interest to avoid punishment or to accept an offer of unequal exchange. The essential point is that, in strategic action, a person influences the choices of another person not through criticisable claims couched in language (Habermas calls these 'validity claims') but by "sanctions or gratifications, force or money" (Habermas, 1982: 269). The motive for action is empirical outcomes rather than mutual understanding.

Habermas asserts that validity claims refer to various worlds. There are claims to truth, referring to an "objective world of existing affairs" (Habermas, 1987: 99). There are also claims to rightness referring to the "social world of legitimately regulated interpersonal relations" (Habermas, 1987: 100), and claims to sincerity or authenticity referring to each person's "own subjective world of experiences to which he or she has privileged access" (Habermas, 1987: 100). These worlds do not constitute separate domains, like geographical territories with clearly marked boundaries, but rather entities under which we organise attempts to reach common definitions of situations via language. For Habermas, social interaction is not a matter of subject-object relations but subject-subject relations - or intersubjectivity.

Let us return to the example in which the child protection worker insists that the mother take out an intervention order against her violent boyfriend. Imagine that the child protection worker adopts instead a communicative position aimed at reaching

mutual understanding. The worker tells the mother that there are concerns not only that the mother and her child are in danger from the boyfriend, but also that her child may be removed and that she will gain a reputation as a 'neglectful' parent. This encounter reflects, in the validity claims which have to do with the worker's statement, each of the three worlds referred to above. The 'social world' (the mother will gain a bad reputation), the 'objective world' (danger from boyfriend and child being removed) and the 'subjective world' (worker is concerned). The upshot of the discussion could be that the mother is convinced by the worker's arguments and they start planning ways by which the mother can handle her violent boyfriend's behaviour in such a manner that will avoid further child protection intervention. On the other hand, the mother may convince the worker that she would like to comply but has numerous valid reasons for not doing so, including fear of retribution by the boyfriend despite the intervention order. She may point out (in order to explain her fear) that many women have been seriously assaulted, sometimes killed, after being granted intervention orders. Alternatively, the mother may believe that - even though her boyfriend is occasionally violent - most of the time they are compatible; or she may be financially dependent on the boyfriend; or she may have no family or community support networks on which to draw if she separates from him. Essential in both cases (the worker appreciating the mother's view or the mother coming to the worker's view) is that action is taken on the basis of the definition of the situation agreed upon by both parties and reached in a situation in which validity claims are exchanged.

Lifeworld and System

The interaction between lifeworld and system is at the core of Habermas' political sociology. As such, he is considered by some critics to be resurrecting Parson's agency-structure dualism. Whereas some forms of sociological theory give primacy to the creative role of the social actors, Habermas "forges a dialectical synthesis of these 'competing' orientations" (Bernstein 1985: 22). As Pusey (1987: 107) explains, "basically Habermas invites us to look at our own modern condition as a kind of tug-of-war between the lifeworld and the system." If we wish to understand the characteristics of the lifeworld, we need to understand the social system, including its sub-systems; and if we are to understand the social system, including its sub-systems, we need to recognise how each arises out of the actions of social agents.

Habermas (1987: 148, original emphases) explains his dialectical view of society as a whole in the following succinct manner:

My guiding idea is that, on the one hand, the dynamics of development are steered by imperatives issuing from problems of self-maintenance, that is, problems of materially reproducing the lifeworld; but on the other hand, this societal development draws upon structural *possibilities* and is subject to structural *limitations*, that with the rationalisation of the lifeworld, undergo systemic changes in dependence upon corresponding learning processes. Thus the system-theoretical perspective is revitalised by the fact that the rationalisation of the lifeworld leads to a directional variation of the structural patterns defining the maintenance of the system.

In order to gain an insight into the system-lifeworld dialectic, it is helpful to reflect upon the basic fact that people as social actors need to have both 'inner' and 'outer' needs fulfilled, both individually and collectively. The outer needs, which at the very basic level consist of food and shelter, require material reproduction through the medium of instrumental action whereby "sociated individuals intervene in the world to

realise their aims" (Habermas 1987: 138). Such aims are achieved by work requiring knowledge constituted by human technical interest.

At the same time, individuals who interact to satisfy their interests have inner needs - which, at the very basic level, consist of metaphysical concerns such as love, companionship, and respect - which have as their foundation mutual understanding. These require symbolic reproduction through intersubjective interaction processes, whether through strategic action based on a pseudo-consensus or communicative action based on rational consensus. It is here that the human 'practical' interest calls for a 'person-person' relationship, and the 'emancipatory' interest for a 'person-self' relationship. Figure 4.1 summarises the various dimensions of each of the forms of knowledge and their associated interests and types of action as outlined in Habermas's (1972) *Knowledge and Human Interests* paradigm.

Habermas's concern is to highlight the essential connection between subjective intentionality (as motivated by the three basic human interests) and the socially constructed reality. Habermas (1972, Appendix to *Knowledge and Human Interests*, p. 311) emphasises:

Orientations toward technical control, toward mutual understanding in the conduct of life, and toward emancipation from seemingly "natural" constraint establish the specific viewpoints from which we can apprehend reality in any way whatsoever

Given these societal inner and outer needs that require simultaneous reproduction materially and symbolically, the next important question becomes one of how to coordinate the reproduction of actions of individuals. In Habermas' two-level theory of society, the question is answered in terms of viewing society simultaneously as a 'system' for material reproduction, and as a 'lifeworld' for symbolic reproduction.

Figure 4.1: Summary of Habermas's concept of knowledge/interests

Knowledge	Interest	Types of Knowing	Types of Meaning	Types of Action
Analytical	Empirical	Knowing that	Facts	Instrumental (work) Person-nature
Hermeneutic	Historical	Knowing how	Explanations	Practical (interaction) Person-person
Critical	Emancipatory	Knowing why	Interpretations	Critical (power) Person-self

Lifeworld

The 'lifeworld' refers to the way in which people live their lives and how, through their experience of living in society, they acquire views and perspectives on the world with which they develop attitudes that influence their actions and behaviours. Included in this acquisition are cultural knowledge and language forms that are shared with other members of society or one's social group. This information helps people deal with specific situations and shapes their perceptions and understandings of the world. As a consequence, self-identity is formed and societal norms are internalised. Habermas (1987) posits that there are three structural components of the lifeworld through which action coordination takes place - culture, society and the person. Culture provides the historically transmitted and contemporarily renewed central stock of knowledge, traditions and normative beliefs. People draw on this stock for their everyday processes of interpretation and mutual understanding. Society (in this case with a lower case 's' as distinct from society-as-a-whole which uses a capital 'S'), that is, people coming together in social groups, provides the source of legitimate orders that, in turn, provide the basis for social solidarity. Personality serves as the foundation for self-identity i.e. for the acquisition of generalised competencies for action through moral duties and

obligations. In short, the lifeworld is where we learn to make sense of our actions. In order for us to achieve this 'common sense', each of these structural components is linked to three processes: cultural reproduction, social integration, and socialisation (Habermas, 1987: 142).

According to Habermas, it is important to recognise the role that all three of these structures and their corresponding processes play in the lifeworld. To identify the lifeworld with just one of these results in a limited form of analysis. He argues, for example, that focusing purely on a cultural concept of the lifeworld is limiting because it focuses on communicative action solely as a process of reaching understanding while failing to recognise the element of communicative action that serves to develop individual identities (personality and socialisation) and foster group solidarity (society and social integration). For Habermas, all three symbolic structures play essential roles in the maintenance of the lifeworld. First, cultural reproduction provides the necessary knowledge for mutual understanding. Second, the process of social integration serves to coordinate actions and stabilise group identities. This is vital to the level of 'solidarity' among members. Disturbances in this process lead to anomie and alienation and the loss of collective identity (Habermas 1987: 143). The third process, socialisation, enables members to connect new situations with existing situations. When this process is disturbed, psycho-pathologies result on the individual level as well as the "rupture of tradition" in the realm of culture and the "withdrawal of motivation" in the societal realm (1987: 143).

Returning to our hypothetical example of the mother under child protection surveillance, we can see how symbolic structures impact on her everyday life and create

worldviews that influence her choice of action. She may have been raised within a culture of violence where abuse is a way of life to which one adjusts and which has been reproduced throughout generations. Her social world would be one in which social context involves violent relationships (her family and friends may also be involved in violent relationships). Violence provides an interpretive framework for her interpersonal relationships. It is the context in which in which her life makes 'sense'. On the other hand, in the child protection worker's case it is very likely that she has experienced very different cultural, social and personal influences that would have created a decidedly different worldview.

System

In the modern world, Habermas argues lifeworld processes no longer steer the social world - as the need for the satisfying of legitimation comes about due to structural reasons. The increasing differentiation of the lifeworld and the system opens the door for people to explore the 'reasons' behind actions rather than accepting what was once deemed truth by an authority figure or myth. As societies develop, a corresponding process takes place in the lifeworld. Habermas uses Parsons' term 'value generalisation' to describe tendencies for value orientations to become more general and formal in the course of social history. Eventually, in the context of increasing rationalisation of society as a whole, the lifeworld becomes 'overloaded' so to speak, making it more and more difficult to reach shared understanding. There is pressure from sub-systems such as government and markets to become detached from the lifeworld and to operate on the basis of codified law, which leads to the eventual independence of system features such

as political and economic institutions. In large areas of society, social integration based on communicative understanding is replaced by system integration through the operation of markets and power. The coordination of action in the system is primarily attained through the 'empirical' rather than the rational motivations of people. That is, self-interest holds sway, rather than group or collective interest reached through open and transparent communication about what is right or appropriate in certain circumstances. Consequently, these lifeworld areas become detached from the necessity of reaching shared understanding through linguistic communication.

The notions of system integration and social integration differentiate two systems of action coordination. In the former, integration is achieved through functional intermeshing action consequences through the non-normative steering media of power and money; in the latter, consensus (whether pseudo or genuine) is forged by harmonising the action orientations of participants. According to Habermas, the mechanism for coordinating action from the system perspective lies in the spheres of the economy and polity, with their corresponding steering media of money and bureaucratic power. Here goal directed actions are coordinated through functional interconnections that are not subjectively intended by sociated members of society, and that are "usually not even perceived within the horizon of everyday practice" (Habermas 1987:150).

The problem of integration is "a continuously renewed compromise between two sets of imperatives" (Habermas 1987: 233). As society has evolved, the lifeworld has become increasingly differentiated into its structural components of culture, society and person. These components entail value orientations predicated upon the need for social integration. On the other hand, as the material subsystems of the polity and the economy

become more complex, they differentiate themselves out to the extent that the relations of the lifeworld become objectified. The problem becomes one whereby system survival dictates the need for functional or system integration at the expense of social integration. However, it is not as black and white as it may appear - since each process involves the same actors, who are simultaneously value oriented internally and functionally oriented externally. Inevitably, the two imperatives dictate the need for a continuously renewed compromise. However, as we shall see, this compromise is becoming more difficult to achieve.

Colonisation of the Lifeworld

The key element in both the lifeworld and system is 'interaction'. The lifeworld delivers social integration, which is "the intertwining of the activities of two or more people in face-to-face interaction" (Layder 1994: 193). On the other hand, the system delivers system integration, which is "the consequence of various activities for the functioning of the social system as a whole" (Layder 1994: 193). When these two clash, there occurs an 'uncoupling' of the system and lifeworld.

The uncoupling of the system and the lifeworld is a result of historical changes in society. From early tribal societies based on kinship systems to the present day complex, bureaucratic capitalist societies, social integration has become more complicated through specialisation, differentiation and population increase. Instead of the regulatory mechanisms of social integration that existed under kinship systems, there has now developed political authority based on systemic mechanisms and markets coordinated through the use of finances, as well as the emergence of expert areas of

knowledge clustered around professional occupational groups and scientific discovery leading to ever new skills and expertise. The proliferation of these sub-systems has led to greater difficulty in reaching a common social understanding. As new structures appear over time, they are increasingly separate from the structures that contribute to social integration. As these system structures become more differentiated, they rely less on social integration and more on systematic mechanisms that are not anchored in the lifeworld. The results are objectified, norm-free structures that make their own rules. The consequences for the lifeworld and the individuals that comprise it are clear:

In modern societies, economic and bureaucratic spheres emerge in which social relations are regulated only by money and power. Norm-conformative attitudes and identity forming social memberships are neither necessary nor possible in these spheres; they are made peripheral instead. (Habermas 1987: 154)

As Habermas points out, money and power are the main 'steering mechanisms' of systems. As such they have taken over the functions performed by specific people under the kinship system. According to Layder:

The new steering mechanisms attain a good deal of independence from the lifeworld and this is made possible by the development of law as a systematic and codified body of principles and statutes. In this fashion Habermas links the general process of rationalisation in society to the development of codified law and thus to the eventual independence of system features like political and economic institutions. (1994: 195)

The consequence of system integration is that people can feel alienated because they do not have a grasp on social processes that could enable them to take action in events that directly affect their lives. As the uncoupling of the lifeworld and the system progresses, the systemic aspects become further removed from the control of the lifeworld. In order to understand what is occurring, Habermas maintains that it is necessary to study

society not only from the perspective of individuals as actors in the everyday lifeworld, but also from the perspective of an external observer of the system.

Further to the uncoupling of the lifeworld from the system, Habermas argues that the system re-enters it and interferes with its operation. He refers to this as the 'colonisation of the lifeworld', so called because it resembles the manner in which colonial powers penetrate and dominate the indigenous societies over which they come to rule. Colonisation interferes to such an extent that it penetrates into everyday life, thus causing deformities in the lifeworld. As concisely put by Habermas:

The internal dynamic of these two functionally intermeshed sub-systems (the market and the administrative state), however, reacts back upon the rationalized life forms of modern society that made them possible, to the extent that processes of monetarization and bureaucratization penetrate the core remains of cultural reproduction, social integration, and socialization. Forms of interaction shaped by these media cannot encroach upon realms of life that by their function are dependent on action oriented to mutual understanding without the appearance of pathological side-effects. (1995: 150)

This colonisation of the lifeworld is not always apparent to people because rationalisation brings with it a fragmentation of everyday consciousness. Even everyday life becomes more and more specialised, conducted by experts with special technical knowledge. "System imperatives clash with independent communication structures", thus resulting in "juridification" (Habermas 1995: 144). This, Habermas argues (according to White), is the:

objective redefining of the client's lifeworld which...requires an incessant process of 'compulsory abstraction' of everyday life situations. This not just a cognitive necessity in order for everyday situations to be subsumable under legal categories, but a practical necessity in order that administrative control can be exercised. Juridification thus exerts a *reifying* influence on the lifeworld, which, when combined with the enhanced claims to *expertise* of social workers and other administrators in the newly redefined categories of life,

produces an insidiously expanding domain of dependency. This domain comes to include the way we define...family relations, education, old age, as well as physical health and mental well-being. (1988: 113)

For Habermas the central problem for contemporary societies is not how order is maintained (Parson's problem) but rather how to create conditions for what Habermas calls 'communicative action'. An understanding of Habermas requires understanding what he means by communication, and why he places such emphasis on it.

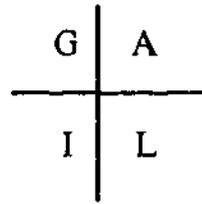
Habermas's problem may be summarised in the following way. Like Parsons, he believes societies require integration, but, like the neo-Marxists, he believes societies are in crisis. As advanced capitalist societies have developed, the core integrative function of communication has been increasingly disabled (what Habermas calls "colonisation"): thus the legitimation of social institutions is in crisis. By legitimation, Habermas means citizens' sense that the institutions within which they live are just, benevolent, in their best interest, and thus deserving of their support, loyalty and adherence. Legitimacy is clearly linked to social order, but in Habermas's theory there is a shift in emphasis away from Parson's 'problem of order'. Habermas's theory stresses the communicative underpinning of the legitimacy crisis: how communicative action has become colonised and how colonisation undermines legitimacy.

Habermas's revision of Parsons

The theoretical core of *The Theory of Communicative Action* (1987) is Habermas's revision of Parsons' AGIL functional prerequisites. The reader will recall that for Parsons, AGIL explains societal stability: the four functions of AGIL - Adaptation to the given environment; Goal Attainment; Integration of the group as a social system;

and pattern maintenance, as concern for the Latent value pattern or deep structure of the group - all work together to achieve social equilibrium (Parsons, Bales and Shils, 1953).

An AGIL diagram could be depicted as follows (Frank, 2000):



However, for Habermas, what is generated is the "action context" (1987: 219) for communication. The four cells divide on horizontal and vertical axes. On the vertical axes, A and L represent the 'private sphere', with G and I representing the 'public sphere'. Society requires certain boundaries between these spheres, but also mutual interchange between them. Horizontally, G and A represent what Habermas calls systems of material reproduction, or the reproduction context of society; while I and L represent what he calls the lifeworld, or the symbolic reproduction context of society.

Habermas's reinterpretation of AGIL contains two fundamental criticisms of Parsons. First, Parsons never takes as seriously as he should how the 'societal community' performs its own integration function. Habermas (1987: 241) believes that Parsons' discussion of integration which should be central to his theory, is underdeveloped theoretically. The reason for this is Parsons' unwillingness to recognise that integration is not proceeding as it should and that society has a deepening legitimation crisis. Again, people's sense of the legitimacy of fundamental institutions (government, business) is in doubt. Habermas is employing the idea of legitimacy in much the same way as Parsons talks about motivated compliance, as prerequisite to social order.

Habermas's (1987: 242) second criticism is that Parsons failed to understand the nature of the generalised media that he identified with each AGIL function. Parsons specified these media as follows:

- Adaptation depends on the generalised medium of money
- Goal attainment depends on power
- I is influence (and also prestige and reputation, according to Habermas, 1987: 275)
- L is value commitments (and also moral authority, according to Habermas, 1987: 275)

Habermas makes a key observation about these media, and his whole theory depends on this - there is a *fundamental difference* between the *two types* of media.

- The G and A media, power and money, are quantitative: both money and power can be measured (Habermas 1987: 272), by bank balance and hierarchical status, for instance. Whoever has the most wins.

Money and power are manipulable items towards which actors can adopt an objectivating attitude oriented directly to their own success. Money and power can be calculated and are tailored to purposive-rational action. (Habermas, 1987: 272)

- The I and L media, by contrast, are qualitative (Habermas, 1987: 275): you can't quantify influence or value-commitments, since these are only enacted in communication between persons - "it is evident that influence and value commitment are less susceptible to being measured, alienated and stored than money or even power" (Habermas 1987: 275).

With this difference in mind, one can gain an appreciation of what *colonisation* means. In social settings that formerly operated by communicative media (I and L), the quantitative media (G and A) now dominate. Rather than communicative action - people

talking about their differences and coming to a common understanding - one (person, government department, etc.) dominates the other by having more money or more power. Colonisation reduces the sphere in which communicative qualitative media operate, and more of social life depends on non-communicative quantitative media. However - and this is the key - the legitimacy of the quantitative media depends on the qualitative media: the value of money and power requires constant acts of influence and value commitment, or the G and A media become worthless. Money and power are only worth as much as shared understanding asserts them to be worth. Money depends on the mutual understanding that we will treat these pieces of paper in certain ways for purposes of exchange. At times in history that understanding has been withdrawn. Power is only worth as much as the 'dominated' will tolerate it (revolutions, military coups, for instance). Crisis, in Habermas's specialised sense, occurs when those qualitative media (influence and value-commitments) are too weak to generate the legitimacy of the quantitative media

It is important to bear in mind that the key concern is legitimacy. Habermas agrees with Parsons about which institutions are essential to the A and G functions. A is what Habermas (1987) calls the "official economy", and G is the "administrative state". Both require legitimacy or else society falls into crisis. If people believe either that the economy affords them no opportunity to compete or succeed, or that the state works against their interests, crisis results. Habermas believes that we are in such a crisis, and that it is deepening. The reason is that the quantitative media (money and power) are non-communicative. What he means is that when money and power is invoked, whoever has the most wins and that's that. There is no possibility of reaching common

understanding through these media. The import of Habermas's concept of communicative action is that it is a process for reaching common understanding. This process is ongoing; understanding is never final. Legitimacy requires that citizens understand each other as committed to continuing the process of seeking common understanding, and acting with respect to the ongoing process. Money and power can never invoke understanding, only how much more one has (quantitative) than others, and thus overpower others or are overpowered by others. Money and power can be useful ways of getting things done, but only so long as their legitimacy is assured by common understandings of influence and value commitments.

Habermas does not want us to give up money and power, but their legitimate use depends on the qualitative media of influence and value-commitments. Unless money and power are understood as expressions of shared value-commitments and interpersonal influence, they will not be legitimate and neither will society. I and L - and they alone - can generate the legitimacy of A and G.

A and G are examples of what Habermas calls *system* - his usage of the term probably following Weber more than any other theorist, "those subsystems of purposive rational economic and administrative action that on Weber's diagnosis, have become independent of their moral-political foundations" (Habermas 1987: 154). Systems, as Weber argued, are fully rationalised. The principles of rationalisation are efficiency, calculability, predictability, and control (Ritzer 1993). The point of such rationalisation is to reduce the person to part of the 'machinery' by which the system does what it does; individual scope for action and decision making are minimised. In the practice of child protection, this is evident in the 'risk' assessment process where the individual

judgement of the worker is subordinate to the results of a 'technical' risk assessment process.

I and L represents the *lifeworld*. By the lifeworld, as previously explained, Habermas means the common shared understandings including values that develop through face to face contacts over time in various social groups, from families to communities. The lifeworld carries all sorts of assumptions about who we are as individuals and what we value about ourselves: what we believe, what shocks and offends us, what we aspire to, what we are willing to sacrifice to what ends, and so forth. Habermas (1987) writes that to make lifeworld assumptions fully reflective - to speak of them specifically - is already to destroy them. Their power is their 'of course' or their 'taken for granted' quality.

For Habermas, the lifeworld has to be just there, furnishing this sense of who we are and who we value being, but it also requires constant reaffirmation. When we engage in parenthood, friendship and so forth, we reaffirm to each other and to ourselves who we are and what we value. Value-commitments are reaffirmed and the basis of influence is re-established. What is crucial for Habermas is that because the lifeworld consists of communicative action, it alone has the ability to regenerate influence and value-commitments. The quantitative systems media, money and power, can *express* influence and value-commitments but they cannot *generate* these qualities - only the communicative action in the lifeworld can do that. Thus, and this is the crucial point, the legitimacy of the system depends on the lifeworld; it is a case of the lifeworld making possible the legitimacy of the system.

At this point we must return to two key terms: colonisation and de-coupling. The crisis of contemporary society is that the system media (A and G) have become decoupled from the lifeworld and its media (I and L). The "societal community" (Habermas 1987: 273) of the I and L are increasingly colonised, in the sense that members have less sphere for communicative action. Money and power increasingly mediate their relationships. Let us return to our earlier child protection worker-parent example. The meeting between the worker and the mother could be, ideally, a place where communicative action takes place and where influence and value-commitments are regenerated. Both participants in discourse could attempt to reach common understandings. On the contrary, in our example, the worker insisted that the mother take the action that the worker deemed necessary to avoid the child being placed in alternative care. The parent's 'communicative action' was to explain the reasons why this was difficult for her to achieve, but the worker's response was to insist that the mother comply because there was no other option. In other words, the worker did not want to talk, explain, or reach a common understanding. Instead, because the worker had the 'power', systems media had pushed out lifeworld media (appeals to value-commitments as a basis of influencing each other in best representing what both wanted in respect to the safety of the child). It is important to understand that the worker acted in a milieu that the child protection service as a system creates: money and power dominate, and local understandings (this parent's particular life situation) are not worth much. The worker as part of this colonising process, has reproduced a larger process.

Habermas observes this same colonisation process throughout society. His primary example is 'juridification' (increased regulation by law). Communicative

justice depends on a shared sense of what is right, given who we are and what we believe. Within a lifeworld, judicial decisions remind us of our value-commitments, however, this justice has become colonised by abstract principles of formal law, and the judicial decision rests on appeal to these principles that do not arise from the lifeworld. Thus, in court, law and legal procedure become de-coupled from any common sense (lifeworld conceptions of what is fair, just and right). Justice becomes juridification: law, as juridification, becomes a system that colonises the lifeworld.

Habermas (1987: 357) himself mentions developments in family law and its administration. Juridification means here, too, the extension of lifeworldly principles: the protection of the basic rights of the child for protection from violence from his/her parents and the basic rights of the mother against the boyfriend. Here, again, we see the opening up of action areas that previously were not formally organised to bureaucratic interference and their subsumption under judicial control. Areas of the lifeworld that are dependent on shared understanding as mechanisms of action coordination are formalised in a way that evokes 'pathological' reactions. People who have been relating in a communicatively structured realm of action now confront each other as legal subjects in an objectivating disposition. Family conflicts are 'solved' by resorting to formal criteria, which - by their very nature - cannot do justice to the specifics of each case. Parental care is 'replaced' by bureaucratic measures which, under the pressure of economic imperatives, often take on a totally impersonal form. As Habermas argues:

At the level of principled moral consciousness, morality is deinstitutionalised to such an extent that it is now anchored only in the personality system as an *internal* control on behaviour. Likewise law develops into an *external* force...to such an extent that modern compulsory law, sanctioned by the state, becomes an institution detached from ethical motivations of the legal person and dependent

upon abstract obedience...This development is part of the structural differentiation of the lifeworld. It reflects both the growing independence of the societal component of the lifeworld - the system of institutions - in relation to culture and personality, and the trend toward the growing dependence of legitimate orders on formal procedures for positing and justifying norms. (1987: 174)

The consequence for the lifeworld of juridification is that areas of life that can only be organised by communicative action are now being formally organised. Concrete situations, which fit into an individual life story, must forcibly be put into abstract terms so that they can be administratively digested. The inadequacy of monetary 'solution' to problems (such as family problems), which cannot be redefined in terms of material consumption, is compensated for by the engagement of therapeutic 'experts'. This puts lifeworld participants into a relation of dependency. "Of course, replacing the judge with the therapist is no panacea; the social worker is only another expert, and does not free the client of the welfare-state bureaucracy from his or her position as object" (Habermas 1987: 370).

Habermas believes that this colonisation of lifeworld by the system is a crisis because the system media (money and power) have no legitimacy except that which the lifeworld furnishes. To repeat Habermas's central premise: only at the lifeworld level, in its media, can legitimacy be regenerated. The system's media are always parasitic on the lifeworld. The crisis is that the parasites are destroying their hosts: that is what colonisation is. The more the system's media colonise the lifeworld, the more they lose legitimacy and crisis ensues. Material reproduction (system level) is crucial for society, but when it destroys symbolic reproduction (lifeworld level) it undercuts itself.

System and Strategic Action

One of the main assumptions of the theory of communicative action is the primacy of communicative action over strategic action. The emancipatory potential of modernity is found within the lifeworld and its corresponding communicative action framework. There is an underlying assumption that strategic action is morally preferable to communicative action. This does not mean, though, that we can do without strategic action. Habermas recognises the necessity of strategic action for system maintenance. What Habermas attempts to do with his formulation of action is to counter the 'rational choice' point of view that holds that instrumental reason guides all human action: "the conduct of rational choice is governed by *strategies* based on analytic knowledge" (Habermas 1971: 91). This, according to Habermas, is too narrow a view. He develops a broader conception of rational action which centres on communicative action.

As we have seen the 'system' essentially includes the political and economic spheres of society. Strategic action, action geared toward success, is the primary form of action within this realm. According to Habermas, one of the fundamental paradoxes of modernity has to do with the competition between system integration (governed by strategic action) and social integration (governed by communicative action). Modernity brings with it the rationalisation of the lifeworld, which is potentially emancipatory. However, at the same time, the effects of capitalist growth (influenced by strategic action) serve to undermine social integration and thus its emancipatory potential.

Strategic action is distinct from communicative action because it is interaction coordinated by *force*, not understanding. Force must be broadly understood here to include much more than mere physical coercion. It may include everything from

bribery, persuasion, and manipulation to military invasion. Strategic action is oriented to the realisation of an end, namely success. This type of action is based on means-end rationality. In this view, people see others as means to their own ends. That is to say, people are primarily concerned with achieving their own ends and consider the needs, wants or interests of other people only insofar as to reach their goals. This is contrary to the way of thinking - derived from Kant - in which people are seen as ends in themselves, not means. In this view, people automatically take others into account in choosing their means because their own interests are dependent upon the interests of others.

Habermas argues for a Kantian notion of rationality, but with a twist. For Habermas, the categorical imperative must be reformulated to allow for the process of argumentation "the moral principle is so conceived as to exclude as invalid any norm that could not meet with the qualified assent of all who are or might be affected by it" (Habermas 1989b: 59). This is a practical process that cannot be monological; it does not take place in one's mind, but rather is intersubjective. All needs, wants and interests must be open to criticism. Furthermore, these wants, needs and interests are interpreted in the light of cultural values. This is not a solitary rationality, but an intersubjective notion based on communicative reasoning. It requires people to take others into account when making decisions. There is no choice involved here; it is a necessary condition of communicative action. For Habermas, strategic action is not rational in this sense because it is not intersubjective.

Some critics argue that Habermas is in error here. Strategic action, while self-interested, need not be atomistic or egoistic (Johnson 1991: 191) Johnson argues that

being concerned with one's own payoffs of others is fairly innocuous in and of itself: "Strategic actors might be preoccupied with their own plans or goals. That does not imply that their plans need be egoistic" (Johnson 1991: 190). He also argues that Habermas misses the social dimension of strategic action by insisting that it is action oriented to success, and hence only related to one sphere of action. Even in strategic action actors must be aware of one another as individuals.

The perspective of, critics such as Johnson appears flawed. Of course actors must consider others when acting strategically; no human action takes place in a vacuum. The point is that the rational choice view of action does not recognise the intersubjective nature of rationality. People *must* take others into account, not simply as means of achieving their ends, but as ends in themselves with a direct interest in the outcome because it affects all participants.

Rationalisation and Communicative Action

As we have seen, Habermas regards the colonisation of the lifeworld as the danger of our time to which theory and practice must respond, for the possibility of colonisation is conditioned by the internal dynamics of the rationalisation process itself. The problem is not that society has become too rational, but that we have yet to become a rational society. With Weber, Habermas regards modernisation and rationalisation as correlative processes. They follow on the heels of a progressive disenchantment exemplified by the breakdown of traditional societies and the power of traditional forces to secure the ongoing material and symbolic reproduction of social life. Obviously there are great losses brought about by such disenchantment. For instance, the fragmentation of

consciousness, a loss of meaning, and the prospect of Weber's 'iron cage' or a totally administered society - the loss of freedom - to the extent that lifeworldly domains of culture, society and person lack the communicative resources to check and resist colonisation.

Crucially for Habermas, as for Weber, rationalisation gives rise to the further differentiation of morality from legality. This differentiation was basic to Weber's understanding of the Protestant, inner-worldly vocational ethic, the rational-methodic conduct of life and their joint role in the development of capitalism which differentiated from the outward legalistic prescriptions of canon law. The differentiation within the lifeworld of morality and law is the condition, as Habermas sees it, for the further separation of autonomous subsystems from the lifeworld. Based on this differentiation, he establishes a boundary between the subsystems of economy and state administration, on the one hand, and the spheres of private and public life on the other (1987: 310). On the one hand, the capitalist economy and state administration need to be anchored in the lifeworldly domain of society, and the formal rationality of law serves just this purpose. On the other hand, once law is severed from morality, economic and administrative subsystems can begin to function as autonomous spheres "neutralised against the lifeworld" (Habermas 1987: 309). It is here that Habermas finds Weber's account of bureaucratic rationality in capitalist enterprise as well as public and political administration most incisive: "action within organisation falls *under the premise* of formally regulated domains of action. Because the latter are ethically neutralised by their legal form of organisation, *communicative action forfeits its validity basis in the interior of organization*" (Habermas 1987: 310). They then become self-regulating

systems and it becomes possible for delinguistified steering media to displace communicative action altogether and to '*disempower*' its validity basis (Habermas 1987: 311).

However, despite such pessimism, Habermas searches for social hope against the iron cage and the pessimism of his predecessors such as Adorno and Horkheimer. The reasoned grounds for his social hope consist not in betraying or abandoning the Enlightenment project, but in steadfastly mobilising the as yet unvanquished social forces and resources that still hold out the prospect of realising its emancipatory promise - that of overcoming the contradiction implicit in the onesided, partial and selective rationalisation that underwrites the logic of colonisation. This contradiction is manifested in the encroachment of cognitive-instrumental rationality and of instrumental and strategic action into domains irreducible to them, the domains of moral-practical and of aesthetic-expressive rationality, which also symbolically structure the lifeworld through the as yet only partially and incompletely developed potentials of communicative action. The quest for meaning, freedom, social integration and human solidarity remains a latent cognitive potential of communicative action, operative in the countermovements against colonisation harboured in the lifeworld. These countermovements are based on 'a nonreified communicative everyday practice' among citizens as opposed to 'expert' cultures (Habermas 1987: 398). The potential unity of a nonreified communicative practice is the fallibilistic goal toward which we can still struggle to emancipate ourselves from fragmentation, cultural impoverishment and the loss of meaning and freedom.

The forces of colonisation that threaten the lifeworld have generated the social pathologies of "two interlocking, mutually reinforcing tendencies: *systemically induced reification*" which Habermas defines as "a pathological de-formation of the communicative infrastructure of the lifeworld" (1987: 375) and "*cultural impoverishment*" (197: 327). Ritzer's (1993) documentation of the McDonaldization of contemporary society furnishes a wealth of empirical weight to give depth to Habermas's neo-Weberian diagnoses of fragmentary consciousness, the loss of meaning and the loss of freedom.

Nevertheless, Habermas locates powerful resources from within the lifeworld that can serve both as defensive and offensive countermeasures. In that connection, what "social theory can accomplish...resembles the focussing power of a magnifying glass" to bring the lifeworldly sources of social hope and liberation into clear view (Habermas 1987: 383). Modern society is characterised by "stubborn systemic disequilibria" that can lead to crises and that certainly "call forth pathologies in the lifeworld" (Habermas 1987: 385). The pathological deformations inevitably lead to conflict. First, with respect to "a centre composed of strata *directly* involved in the production process and in maintaining capitalist growth as a basis of the welfare-state compromise"; and second, with respect to "a periphery composed of a variegated array of groups that are lumped together" bound by their shared "critique of growth" (Habermas 1987: 392-393).

New social movements - for example, peace, civil rights, feminism, environmentalism - are sites of struggle against colonisation. So Habermas turns principally to these as the spaces wherein the best opportunities to complete the modern project presently lie - with the potential of emerging "counterinstitutions that could set

limits to the inner dynamics of the economic and political-administrative action systems" (1987: 396). Significantly, he warns against equating the *functionalist rationality* of systems with the *communicative rationality* of cultural modernity (1987: 396).

Once again, we find Habermas arguing that the pathologies of modern capitalist society are not the result of modernisation *per se*, but of modernity at variance with itself. They are not rationalisation *per se*, but the domination of 'functionalist' over 'communicative' rationality; and not systemic complexity *per se*, but the untapped cognitive potentials of a lifeworld that has yet to achieve the promise it holds for enlightened emancipation. If the Weberian treatment of rationalisation is correct, then the pessimistic resignation of Adorno and Horkheimer seems to be the more thoughtful response. On the other hand, if Habermas's critique of Weber has merit, then we can search out grounds for social hope from other quarters.

Lifeworld and System - the link

The problem of how to link the lifeworld and system paradigms gets us back to the distinction between social integration and system integration. Habermas argues that each view, on its own, is limited in its academic usefulness. If the integration of society is understood as essentially social in nature then the problems associated with material production cannot be understood. Such a conception is rooted in the lifeworld because it "starts from communicative action and construes society as a lifeworld" (Habermas 1987: 150). Consequently, the observer is enmeshed in the self-understanding of all participants. On the other hand, and just as limiting, is a view of society based on

system integration. In this case, the analysis is tied to the external perspective of the observer and societies are seen as simply another organic system that can be observed from the outside:

The conceptualisation of societies cannot be so smoothly linked with that of organic systems for unlike structural patterns in biology, the structural patterns of action systems are not accessible to [purely external] observation' they have to be gotten at hermeneutically, that is from the internal perspective of the participants. (Habermas 1987: 151)

Habermas's attempt to link the life world perspective with the systems perspective is an attempt to explain "the interconnection between the processes of material and symbolic reproduction" (White 1988: 104). Yet, by never fully conceptualising this link, Habermas fails to give a possible point of departure for cooperation between members of different lifeworlds. It would appear that the possible reason that the interactive aspect of Habermas's theory is overlooked is that he spends so much time trying to separate and distinguish the concepts of system and lifeworld. As previously explained, the colonisation of the lifeworld results in 'efficiency' and 'success' ruling our lives rather than the goal of reaching mutual understanding. The problem here lies in the link between communicative action and the lifeworld; we are left with the assumption that no meaning can be created outside the lifeworld context. The lifeworld is the sole source of meaning while the system operates under a code that only prescribes success in terms of efficiency and so on. If this is true, then how do we begin to analyse the interconnectedness of the two spheres? Where do they overlap and how does one affect the other?

The problem revolves around Habermas's intent on illuminating: How the development of capitalism, with its differentiated subsystems of economy and administration, can be understood both as an evolutionary *advance* from a systems perspective, but also as a phenomenon which

methodically *undermines* the processes by which a rationalised life world is symbolically reproduced. (White 1988: 104-5)

Habermas does help us to understand the pathologies that occur as a result of capitalist development. He discusses the colonisation of the lifeworld by the system and the resulting distortions of modern life, but he fails to account for any positive effects of the lifeworld-system connection. It is not that Habermas does not recognise the progressive aspects of capitalist society. However, in his effort to explain his theory of colonisation in such a thorough manner, he neglects crucial aspects of the system-lifeworld link, both positive and negative. In trying to show how modernisation has led to the decoupling of the once integrated lifeworld and system and the subsequent predominance of system imperatives over lifeworld, Habermas emphasises the positive aspects of the lifeworld and the negative aspects of the system. However, I do not think Habermas would deny that the opposite also holds true: there are negative effects resulting from lifeworld processes and positive from system processes. For example, our hypothetical child protection worker and client would have both experienced some sort of the negative consequences of patriarchal or authoritative cultures. On the other hand, the worker at least would have some form of 'emancipation' as a direct result of participation in the economic subsystem (i.e. through employment and social status). It is important that we are careful not to glorify the aspects of traditional lifeforms that we now recognise as discriminatory, patronising, and so forth. At the same time, we must recognise that these facets of traditional cultures have been challenged in modern Western societies (through social movements such as feminism) precisely because of the interconnectedness between system and lifeworld. The transformation of the

economic subsystem which has changed the way people live and work has been - at least, partly - responsible for advances in civil rights, women's rights and so on.

In order to analyse the positive and negative aspects of both the system and the lifeworld, we must distinguish between the normative and empirical parts of our analysis. It is here that there appears to be a crucial weakness in Habermas's theory. In the theory of communicative action, it is difficult to discern between empirical statements about existing phenomena and normative statements about the ideal democratic society. In this thesis I will attempt to apply a theory of action that makes it clear when analysis refers to actual example (whether hypothetical, as in the case of the worker-parent scenario above, or from actual child protection practice). At the same time, I do not want to lose sight of Habermas's goal of truly emancipated society. However, unless we are absolutely clear about empirical-sociological aspects of analysis versus the normative-moral implications of the analysis, the goal of emancipation will remain out of reach.

It should be emphasised that lifeworld and system (and, later, discourse ethics) are useful devices. We must first understand the difference between the two spheres in order to see where the interaction between the two takes place. However, if we fail to see where the 'ideal types' and reality begin, the analytic devices become useless. There needs to be some bridge between the conceptual terms and the analysis of a particular social phenomenon. In this case, the social phenomenon is society's attempt to prevent harm to children, but first, two problems must be addressed if such a bridge is to be built.

The first problem has to do with trying to apply these categories to the 'real world'. In the real world, human action is some combination of the two; as such, our actions usually fall somewhere between the lifeworld and the system, not entirely in one sphere or the other. For instance, Alexander (1991) argues that Habermas's definition of the lifeworld is too vague. Even more of a problem is Habermas's tendency to locate communicative rationality exclusively in the lifeworld. According to Alexander (1991: 61), "modern political and economic life are never simply instrumental. They are always coded in deep structures of cultural life." Habermas himself states that a fundamental problem of social theory remains "how to connect in a satisfactory way the two conceptual strategies indicated by the notions of system and lifeworld" (Habermas 1987: 151). I understand this to mean that we need to develop a way of applying the distinct categories of lifeworld and system to real life scenarios.

The second problem has to do with the usual connotations of the terms themselves. As Stephen White puts it, a central problem of Habermas's thought remains:

How to demonstrate that an exclusively instrumental or strategic understanding of rationality is somehow inadequate and that therefore the increasing Weberian rationalisation of the modern world represents a threat to the full potential of human beings to bring reasons to bear on the problems of their social and political existence. (1988: 25)

There is an underlying assumption in Habermas's work that there is something inherently 'good' about the lifeworld and communicative action, and something inherently 'bad' about the system and strategic action. Amson (1991: 183) claims that Habermas reads 'superiority and universality' into the self-understanding of modernity that is not necessarily there. Seyla Benhabib (1986: 277), on the other hand, argues that the utopian aspect of communicative ethics is not necessarily a bad thing - it may serve

as a motivating force toward a better society or, as a great Irish playwright and author once put it:

Is this Utopian? A map of the world that does not include Utopia is not worth glancing at, for it leaves out the one country that humanity is always landing. And when humanity lands there, it looks out, and seeing a better country, sets sail. Progress is the realisation of Utopias. (Wilde, 2001: 141)

It is this aspect of Habermas's universal ethics that I find appealing. However, if the purpose of theory is to help us better understand modern society, then it is necessary to distinguish its utopian and analytic intent, that is, it is necessary to delineate our normative agenda from the analysis of human action. Whilst I would like to see communicative action predominate in modern society, I recognise there are many barriers to achieving this goal. We live in an imperfect world where conflict is ever present. Discourse ethics is based on the premise that we all share a common lifeworld. In the real world, this is not the case. In order for discourse ethics to have relevance to contemporary political situations, it is necessary to develop an understanding of human action based on this fact. I see possibilities for starting dialogue in a systems context that can eventually lead to communication that is geared more fully toward understanding; however, that is a task reserved for later discussion. For the moment, I want to move on to discussing more fully the theory of communicative action and its associated discourse ethics.

Chapter 5

Communicative Action and Discourse Ethics**Communicative Action**

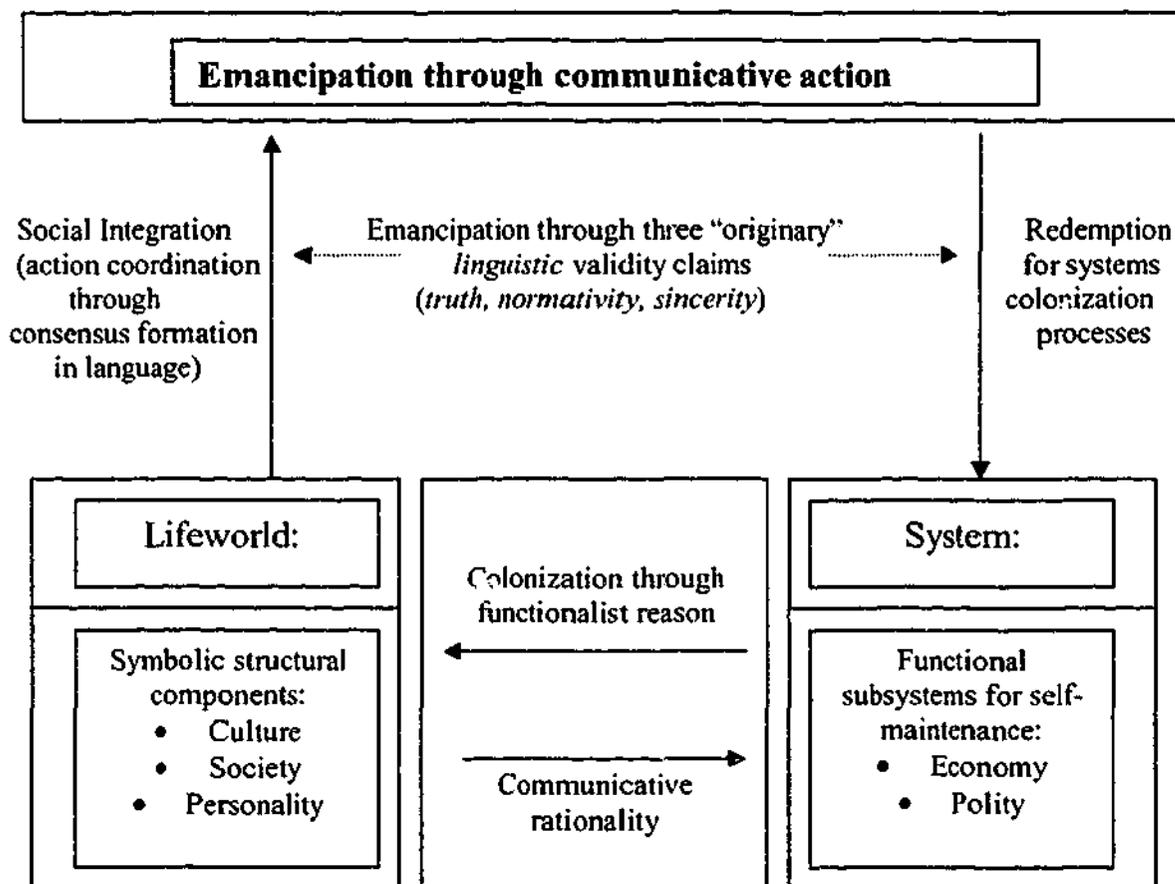
Habermas argues that emancipation can only be achieved through democracy. Democracy, in this case, should not be confused with the formal structures such as parliaments, constitutions, elections and so on. Democracy means all that is done 'in' and 'through' communicative interaction - through action that is genuinely oriented to reaching an understanding. In short, we should think of democracy as a process of shared learning in which the search for equality, freedom and justice should prevail. Habermas (1993: 46) offers his version of emancipation thus:

Emancipation is a very special kind of self-experience, because in it processes of self-understanding link up with an increase in autonomy. In this way 'ethical' and 'moral' insights connect up with one another. If with ethical questions we want to get clear on who we are and who we want to be, and if with 'moral' questions we want to know what is equally good for all, then moral insights are linked with a new ethical understanding in emancipatory consciousness. We learn who we are by learning to see differently in relationships with others. The expression 'emancipation' thus has its place in the realm of the subject's relation with itself: it refers to discontinuous transformations in the practical self-relations of persons.

Figure 5.1 is a schematic outline of the emancipatory process of communicative action that will be discussed in this section. Rationality and action are the first two fundamental concepts in Habermas's *Theory of Communicative Action*; both concepts are extricably related. Without human action in symbolically-expressed intentions, desires, and feelings with public utterances or deeds as a referent point, the concept of rationality is

meaningless. With regard to rationality, “the first point to note is that rationality has less to do with the possession of knowledge than how speaking and action subjects *acquire and use knowledge*” (Habermas 1984: 8). In speaking and acting, we simultaneously raise a number of what Habermas calls *validity claims*.

Figure 5.1: Habermas’s Communicative Action Paradigm



(Adapted from Oliga 1996: 228)

These validity claims are open to criticism by hearers, but which, as speakers, we are prepared to defend through argumentation - whether informally in situations of everyday encounters, or explicitly in formal discourse, or implicitly by evidencing our conviction that

a particular goal-directed action has promising prospects of success in terms of effective intervention in the world. Justifying one's symbolic expressions (thoughts and utterances) and interventions in the outside world requires giving reasons or grounds for our validity claims. In this regard, Habermas emphasizes the role of communicatively grounded consensus in defining rationality. He suggests a kind of consensus theory of truth, "the condition for the truth of statements is the potential agreement of everyone else" (Outhwaite 1994: 41). Habermas's notion of 'truth' refers to agreement or consensus reached through critical discussion.

Habermas's position leads to the notion of 'communicative rationality'. He maintains that what is rational means what is communicatively, i.e. intersubjectively, justified or justifiable as rational. In other words, what is rational is what succeeds to give an intersubjectively well grounded argument, and what is irrational fails to do so: "the rationality of those who participate in...communicative practice is determined by whether, if necessary, they could *under suitable circumstances*, provide reasons for their expressions" (Habermas 1984: 14)

The notion of communicative rationality is comprehensive. Firstly, as we have seen, Habermas considers the subject - subject relation of communication as well as the subject-object relation of cognition and appropriation: "There are internal relations between the capacity for decentred perception and manipulation and things and of events on the one and, and the capacity for reaching intersubjective understanding about things and events on the other" (1984: 14). That is, the notion of cognitive-instrumental rationality derived from the 'philosophy of consciousness' which only assumes the subject-object relations as too narrow, and has to be incorporated into a more comprehensive notion of communicative

rationality - since the former is mediated only through the latter. This accounts for why Habermas proposes the notion of communicative rationality:

we give up the paradigm of the philosophy of consciousness - namely, a subject that represents objects and toils with them - in favour of the paradigm of linguistic philosophy - namely, that of intersubjective understanding of communication - and puts the cognitive- instrumental aspect of reason in its proper place as part of a more encompassing *communicative rationality*. (1984: 390)

Communicative rationality supposes that there is a logical and substantive internal relationship between what we say and the reasons for saying. These reasons, if necessary, can be provided by the speaker in support of his/her validity claims. The understanding of the speaker by the hearer depends on the particular *basic attitude* that they each take towards the other's utterances. Figure 5.2 illustrates the three 'worlds' and the associated attitudes actors take towards them.

Clear distinctions can be seen between: (1) an *objectivating attitude* wherein the natural and social worlds are treated as 'the' world of external nature. A social actor may entertain perceptions and beliefs about entities and states of affairs, which agree or disagree with what is the case in the world. Thus the actor's perceptions and beliefs may be true or false. An actor may attempt to change an existing state of affairs and can *succeed* or *fail* in doing so. These two rational relations between actor and world are judged according to truth and efficiency criteria.

(2) a *norm conformative attitude* wherein the world is seen as 'our' world - the world of society with interacting subjects. The social world embodies moral practical knowledge in the form of norms, rules and values. Rational relations of an actor and the social world is open to objective evaluation according to 'two directions of fit': first, actions can accord or deviate from existing norms, and may be judged according to

normative rightness or appropriateness; second, norms are justified or recognised as legitimate if they embody the value and interests of the social actors. Hence, existing norms are judged in terms of their *legitimacy* and *justification*.

Figure 5.2: Actor-World Relations

Formal world concepts and relations Actors' basic attitudes	"The" world	"Our" world	"My" world	Lifeworld ("The "our" and "my" worlds)
	. Cognitive (conversational/theoretical) . Instrumental	. Strategic	. Objectivistic relation to self	. Cognitive (conversational/theoretical) . Instrumental . Strategic . Objectivistic relation to self
Norm-conformative attitude		. Normative . Moral	. Censorious relation to self	. Normative . Moral . Censorious relation to self
Expressive attitude		. Self presentation to the "public"	. Sensual-spontaneous relation to self	. Self presentation to the "public" . Sensual-spontaneous relation to self

(Adapted from Oliga 1996: 233)

(3) an *expressive* attitude of 'my' world of internal nature wherein the world is subjectivised and only open to personal, privileged access. This world is complementary to the objective and social worlds which are external to the actor. By uttering experiential sentences, desires and feelings, an actor makes his subjective world known to the hearers who may trust or distrust the actor's *sincerity* and *truthfulness*. In summary, Habermas (1984: 100) states:

Such relations hold between an utterance and:

1. The objective world (as a totality of all entities about which true statements are possible)
2. The social world (as the totality of all legitimately regulated interpersonal relations)
3. The subjective world (as the totality of the experiences of the speaker to which he has privileged access).

In communicative action, the use of language is, as has previously been explained, oriented towards reaching shared understanding. Such language use requires the exchange of criticisable validity claims. Habermas asserts that these claims refer to each of the three worlds. There are claims to truth - referring to the 'objective' world of existing states of affairs. There are also claims to normative rightness - referring to the social world. Finally, there are claims to sincerity or authenticity - referring to each person's subjective world. Habermas (1984: 99) describes the three claims of *truth*, *normativity* and *sincerity/authenticity* in these terms

1. That the statement made is true (or that the existential presuppositions of the propositional content mentioned are in fact satisfied);
2. That the speech act is right with respect to the existing normative context (or that the normative context that is supposed to satisfy is itself legitimate), and
3. That the manifest intention of the speaker is meant as it is expressed.

With these distinctions and categories in mind we can schematise the features of speech actions as shown in Figure 5.3.

Figure 5.3: Features of Speech Actions

Domains of reality	'The' world of external nature	'Our' world of society	'My' world of internal nature
Basic attitude	Objectivating	Norm-conformative	Expressive
General functions of speech	Representations of facts	Establishment of legitimate interpersonal relations	Disclosure of speaker's subjectivity
Validity claims	Truth	(Normative) rightness	Sincerity

Let us, after this fairly abstract exposition of validity claims, return to our example in which the child protection worker insists that the parent invokes an intervention order on her boyfriend. You will notice that in each actor's case, the validity claims relevant to this situation are indeed referring to each of the three worlds mentioned above. By claiming that the child may be in danger by the child observing the parent being abused, the worker is referring to a 'state in the world', that is a social phenomenon labelled 'child abuse'. By insisting that the child is at risk of harm in this particular circumstance, the worker is referring to the objective world (the child is in danger). By placing the onus on the parent to do something about the situation (even though the mother is not the abuser) she is referring to the normative /subjective world (a parent must protect her child). Finally, the worker could accuse the parent of lying to protect her boyfriend thereby referring to the internal world. As regards their basic attitudes they would probably agree that child abuse does indeed exist as an object in the world ('the' world) but may disagree as to what each defines the thing called child abuse; for instance, the mother may disagree with the worker that children are harmed by observing abuse ('our' world). Consequently, both may firmly express their respective disagreements regarding each others sincerity ('my' world, all of which invokes the various validity claims such as the 'fact' that child abuse exists (truth); parents should protect their children (a norm); and a contested claim to sincerity (you are lying/I am not). Through argumentation the parent may be convinced by the worker's arguments and take the requested action. In Habermas's terms this would be *purposive-rational action*. That is, based on coordination reached through the exchange of validity claims. On the other hand, the mother might convince the worker that the child is not in danger and the intervention order is not necessary. Whatever the outcome, essential in both

cases (the parent coming to the worker's view or the worker coming to the parent's view) is that action is taken on the basis of a definition of the situation agreed on by both parties and reached through a process in which validity claims are exchanged. This process is categorised by what Habermas calls 'communicative rationality'.

For both parties the interpretative task consists in incorporating the other's interpretation of the situation into one's own in such a way that in the revised version 'his' (sic) external world and 'my' external world can - against the background of 'our' lifeworld - be revitalised in relation to 'the' world, and the divergent situation definitions can be brought to coincide sufficiently). (1984: 100)

Incidentally, with regard to the validity claim referring to the social world - normative rightness - two questions could be asked: is this the norm? (the parent could argue that her child is not in danger of abuse because the boyfriend is abusing *her*, not the child) or: is this norm right? (the parent could disagree that observing violence between adults harms children). Likewise, 'my world' has to do with sincerity of expression - is the worker sincere in the caring role/ is the mother sincere in the parent role? Is everyone lying? The worker may be quite sincere in her belief that children are harmed by observing abuse between adults - however that is not the point. Remember, communicative action is action aimed at reaching understanding. By making the threat of removing the child unless the parent rectifies the situation according to the worker's demands, the worker is engaging in strategic action i.e. using sanctions to gain a successful outcome. It is a form of 'distorted' communication: therefore, whilst she may be successful in forcing the parent to take out the intervention order, it would be done in a spirit of non-cooperation and may not be successful in the long term as the parent would not be committed to the action (e.g. she may cause the order to be breached by the boyfriend). Indeed, the parent may seek to avoid child protection intervention by taking some form of evasive action such as moving

locality. Thus the suggested outcome of mutual understanding, 'mutually coordinated action', would be thwarted. The violation of the validity bases of speech thereby creates a false consensus - a function of the outcome of any distorted communication.

Conversely, thanks to communicative rationality, various agents can, through the non-compelling force of discursive reason, make sure of the unity of the objective world (the phenomenon of child abuse) and the intersubjectivity of their lifeworld. In this case, child abuse is, or is not, occurring here depending on the "unforced force of the better argument" (Habermas 1995: 160). Language is the vehicle for all this. Communicative rationality is contained in the structure of human speech as such:

The rationality potential in action oriented to reaching mutual understanding can be released and translated into the lifeworlds of social groups to the extent that language fulfils functions of reaching understanding, coordinating actions, and socializing individuals; thereby it becomes a medium through which cultural reproduction, social integration and socialization take place. (Habermas, 1987: 86)

The theory of communicative action creates a *dialogical* and *social* relationship between two or more speakers and hearers who, reciprocally and spontaneously, tender the three validity claims. Communicative interaction is the medium through which speaking and acting subjects interlace their speech-action. It is through this medium aimed at 'reaching an understanding' that we are bonded as social beings by the rationally motivating force of our mundane agreements and communicatively formed convictions. Habermas explains this process in the following terms:

When a hearer accepts a speech act, an agreement [*Einverständnis*] comes about between at least two acting and speaking subjects...as the medium for achieving understanding speech acts serve: (1) to establish and renew interpersonal relations whereby the speaker takes up a relation to something in the world of legitimate (social) orders; (b) to represent (or presuppose) states and events, whereby the speaker takes up a relation to something in the world of existing state of affairs; (c) to manifest experiences - that is to

represent oneself - whereby the speaker takes up a relationship to something in the subjective world to which he has privileged access. Communicatively achieved agreement is measured against exactly three criticisable validity claims; in coming to an understanding about something with one another and thus making themselves understandable, actors cannot avoid embedding their speech acts in precisely three world relations and claiming validity for them under these aspects. (1984: 308)

Language as a medium of action coordination however is, not a unitary phenomenon. There are linguistic forms that focus only on theoretical discourse, or on instrumental usage of language, or only on the strategic use of language. Habermas argues it is only language as communicative action, that is by its very nature emancipatory - furthermore, communicative forms of discourse, being the 'originary' (i.e., primary over instrumental and strategic forms of action and reason) mode of communicative interaction, have priority over other forms of linguistic usage.

For the claim that communicative action is originary, Habermas relies particularly on a reconstruction of Austin's (1975) speech acts theory in which distinction is made between locutionary, illocutionary and perlocutionary forms of language use. In referring to Austin's distinctions, Habermas summarises the meaning of those distinctions as follows (1984: 284-289):

- (a) the term "locutionary" refers to the content of propositional sentences...Through *locutionary acts* the speaker expresses states of affairs: he says something.
- (b) Through *illocutionary acts* the speaker performs an action in saying something. The illocutionary role establishes the mode of the sentence...employed a statement, promise, command, avowal or the like...
- (c) ...through *perlocutionary acts* the speaker produces an effect upon the hearer. By carrying out a speech act he brings about something in the world.

Habermas builds on Austin's tripartite scheme of speech acts to argue that it is only the illocutionary speech act that is originary. As he explains:

Whereas the sense of the division into locutionary and illocutionary acts is to separate the propositional content from the mode of speech acts as analytically different aspects, the distinction between these two types of acts,

one on the one side, and perlocutionary acts on the other, is by no means analytical in character. Perlocutionary effects can be achieved by way of speech acts only if the latter are *incorporated as means* into actions oriented to success. Perlocutionary acts are an indication of the integration of speech acts into contexts of strategic interaction. They belong to the intended consequences or results of teleological action which an actor undertakes with the intention of influencing a hearer in a certain way by means of illocutionary successes. (1984: 292-293)

The locutionary speech act thus means that saying something *meaningful* is a precondition for an utterance that claims validity for itself, and is open to criticism and counter-criticism, all in the genuine interest of reaching mutual, rational understanding and assent. Speech act theory thus describes the nature of human beings as *speaking* and *acting* subjects. Perlocutionary speech acts are parasitic on the illocutionary, given their diametrically opposed aims. Whereas an illocutionary act is embedded in contexts of interaction intrinsically for purposes of understanding, a perlocutionary act is oriented to success and “thereby instrumentalizes speech acts for purposes that are only contingently related to the meaning of what is said” (Habermas 1984: 289). Figure 5.4 summarises the functions of the various speech acts.

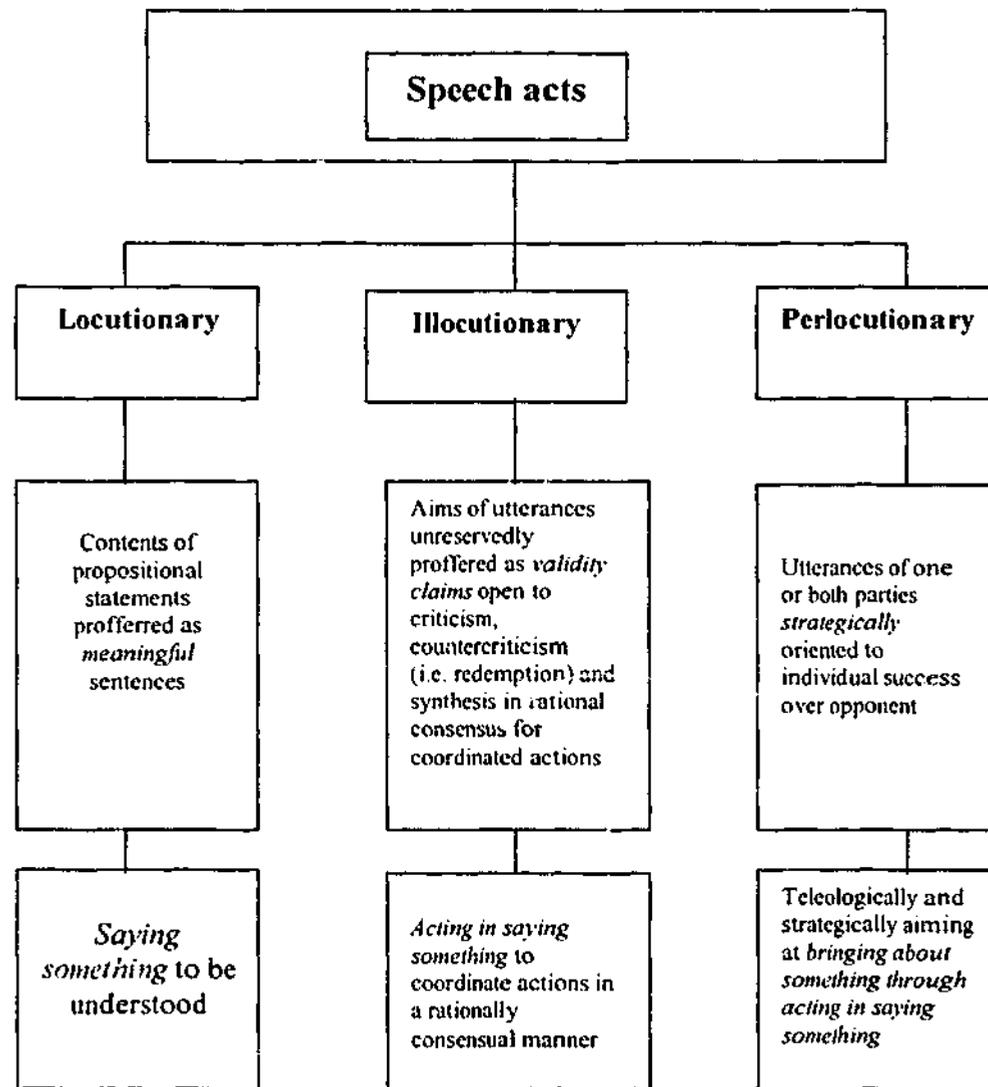
Paralleling Austin's idea of illocutions Habermas sees the use of language with an orientation to reaching direct understanding based on common convictions as the originary or primary mode of language use. Instrumental use of language for efficient direct intervention in the situation and strategic use of language for the purpose of compellingly influencing the decisions of a rational opponent, are all oriented to indirect understanding, and are thus parasitic. Indeed in Habermas's view “reaching understanding is the inherent telos of human speech” (Habermas 1984: 297).

This statement has the potential to appear ideal, utopian and naive. After all, we all use

instrumental and strategic action as part of our everyday social interaction? Indeed we do! One just has to observe the antics of our politicians for examples of distorted communication. Once again, however, that is not the point. The key is in the word 'inherent'. Suppose that you and I are about to have a conversation about something, what is the first thing that we do when we hear the other speak? We presuppose the three validity claims, mostly subconsciously, therefore we don't realise that we do it. It is only when one of them is violated do we realise that something is amiss. For instance, if you tell me that you have no money and would like to borrow some from me, I assume you are telling the truth (that is if my past experience with you is not to the contrary) and that you are sincere. I do not immediately think to myself "That person is lying to me". Another way to look at it is to imagine what society would be like if the *opposite* of Habermas's validity claims were the *telos* of human speech. How would social interaction be if we presupposed that whenever someone communicated with us they were lying, deceiving and insincere; and they thought the same of us? The result would be chaos; social integration would be impossible.

The essential communicative acts of ordinary social interaction do not just happen. They do not grow automatically from natural conditions. They are not biological. They are social actions, working through languages we can speak together. When we speak we do not just make noises, we participate in a structured form of social action that is already normative and rule structured. If we want to be understood when we speak, we must follow the rules structuring ordinary language or what we mean will not be what anyone listening thinks we mean. We can communicate pragmatically because, when speaking we presuppose and anticipate that a set of implicit rules will ordinarily be followed in real life - what has been termed "pragmatic presuppositions" (Habermas 1990: 82)

Figure 5.4: Locutionary, illocutionary and perlocutionary speech acts



(Oliga 1996: 246)

The underlying factor is comprehensibility. That is, we try to speak so that the hearer will understand us; likewise, we expect others to do the same. If we did not we would speak and expect babble, and never listen. Assuming we understand one another, we expect others to speak sincerely, otherwise we would not trust anyone to whom we listened. Another presupposition we have is that the speaker implies norms or expectations that are legitimate

or appropriate. Finally, we presuppose that they are speaking the truth. If we did not presuppose this, we would never believe anything we heard, even if we were in no doubt about the speaker's sincerity. Likewise, we would always have to check each and every story if we generally expected falsehood to pervade a communication. Even when lies are told, the lie only works because the listener is ordinarily bound by the norm to expect truthfulness in ordinary communication. Only by presupposing and mutually fostering this norm of 'truth' - trust - do we make it possible for each other to tell the difference between reality and ideology, between fact and fantasy. As Forester explains:

These norms of pragmatic communication are usually taken for granted. They are part of the subtle foundations of common sense. If we violate them, or when we do, we face puzzlement, mistrust, anger and disbelief. As these pragmatic norms are broken our shared experience and our social and political world disintegrate. (1985: 209)

While Habermas sees Austin's theory of speech acts as illuminating, he nevertheless finds it necessary to reconstruct Austin in order to come to a better understanding of the concepts of communicative reason and communicative action. Habermas argues that Austin confuses the picture by not seeing the difference between a *speech act per se* and the *context of interaction*. Although speech acts constitute the contexts of interaction, their effects are different in depending on the level of interaction. At the interaction level of 'speaking' subjects (i.e. speech acts), both illocutions and perlocutions are the same - that is, socially-oriented communication in the interest of coordinating individual social actions. On the other hand, at the pragmatic and empirical levels of 'acting' subjects - (i.e. the context of interaction) - illocutionary and perlocutionary effects are diametrically opposed.

The illocutionary effects of speech acts are solely motivated by the need to achieve rational consensus; the perlocutionary effects on the other hand, are intended, at least by

one of the participants, for egoistic success ends. As Habermas puts it:

Thus I count as communicative action those linguistically mediated interactions in which all participants pursue illocutionary aims, and *only* illocutionary aims, with their mediating acts of communication. On the other hand, I regard as linguistically mediated strategic action those interactions in which at least one of the participants wants with his speech acts to produce perlocutionary effects on his opposite number. Austin did not keep these two cases separate as different types of interaction, because he was inclined to identify acts of communication, that is, acts of reaching understanding, with the interactions coordinated by speech acts. He didn't see that acts of communication or speech acts function as a coordinating mechanism for *other actions*. (emphasis in original). (1984: 295)

Figure 5.5 adapted from Oliga (1996), provides a summary of human actions in which two crucial points are highlighted; first, linguistically-mediated strategic actions have their most virulent effect in the form of unconscious deception, to wit, *ideology*; and second, linguistically-mediated illocutionary actions are inherently directed to *communicative action*. The parasitic nature of perlocutionary speech acts can be appreciated from the fact that even in deception the deceiver 'parasites' on the truth, rightness and truthfulness of validity claims. In other words, the deceiver takes advantage of the expectations, on the part of the deceived person, of honesty, appropriateness and sincerity in communication. Of course, the question of intended or unintended consequences are relevant to both illocutionary and perlocutionary acts. However, in the illocutionary case, the participants would be prepared to redeem the validity of their claims as nondeceptive.

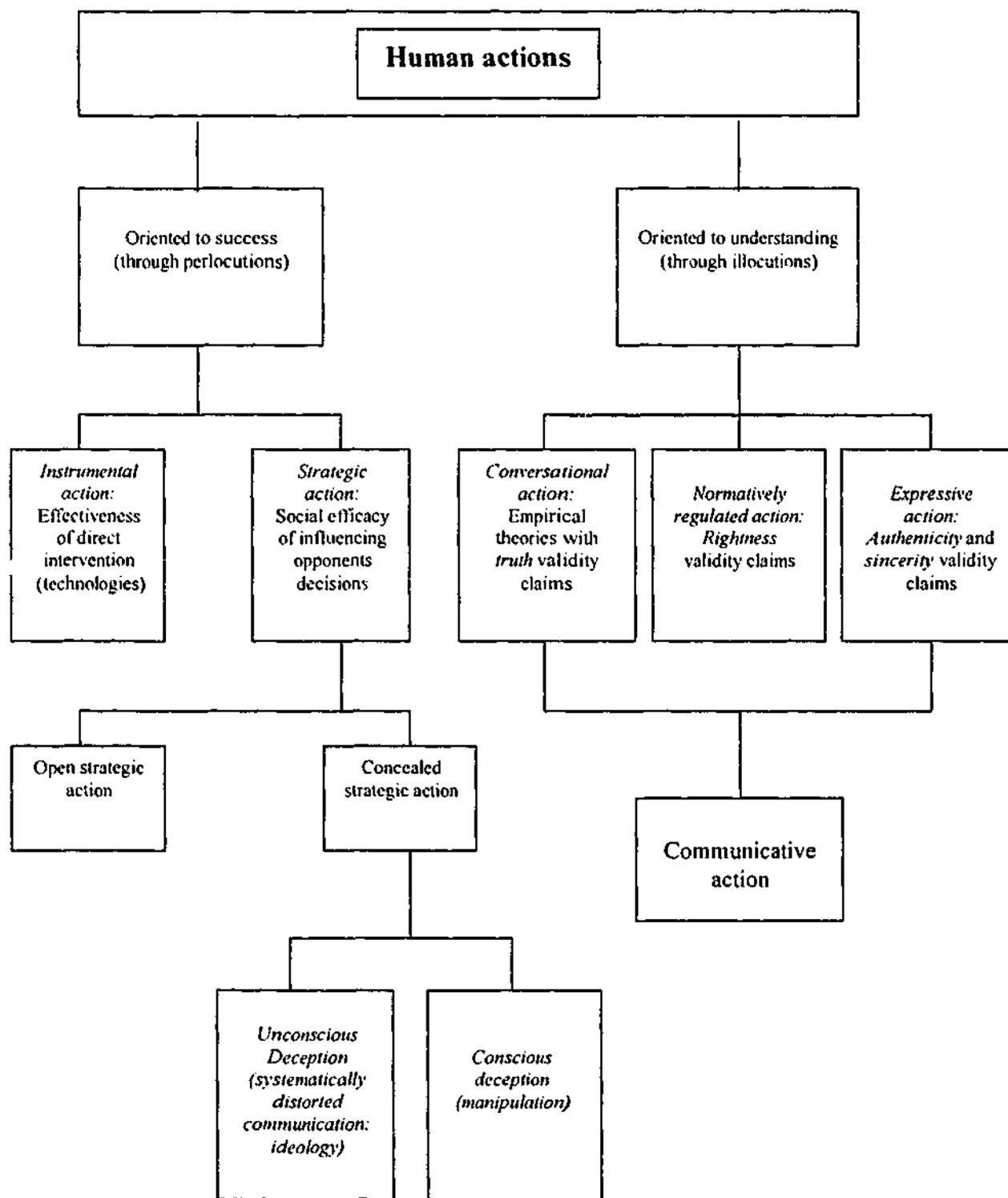
How do we know which kind of validity claim has been raised with a particular utterance? The key to deciding what kind of validity claim has been raised, and therefore what kind of speech act we are dealing with, is to ask ourselves from what point of view the speech act as a whole could be negated (Habermas, 1984: 306). Habermas distinguishes three points of view from which the negation of an utterance is possible.

The hearer can reject *what is said*. This is an instance of disagreeing with the *truth claim* raised with a proposition that has been asserted. The hearer challenges the speaker's attempt to establish an interpersonal relationship on grounds that a certain state of affairs exists. For instance, when the child protection worker alleges that the mother is placing her child in danger, she could respond with: "What reasons do you have for saying that my child is in danger?"

A second possibility is that a hearer challenges the speaker's *right to say what she says to the hearer* in the particular context. This is an instance of disagreement regarding the legitimacy of the normative context in which the utterance is expressed. The hearer challenges the speaker's attempt to establish an interpersonal relationship on grounds pertaining to the speaker's entitlement to make an assertion or make a normative judgement. We can imagine the parent demanding: "Don't judge me! How would you know what its like to be in a situation like this?"

The final possibility is that the hearer questions the speaker's *truthfulness* (or sincerity) in saying what she says. This is an instance of suspicion regarding the subjective truthfulness of the speaker. The hearer challenges the speaker's attempt to establish an interpersonal relationship on grounds pertaining to the subjectivity of the speaker; more precisely, the hearer challenges the speaker's truthfulness. We can imagine the parent saying: "I don't think you care about me or my child. You're just being used by my interfering neighbours!"

Figure 5.5 Perlocutionary and illocutionary speech acts



(Olga 1996: 248)

The forgoing provides us with some practical guidelines as to how we should determine what kind of validity claim a speaker is raising with a particular utterance; likewise, we can determine what type of act is occurring in terms of perlocutionary or illocutionary speech acts. Suppose that the child protection worker demands that the parent invoke an intervention order against the boyfriend. This type of action is perlocutory. Its effects are strategic. They are insofar as they eschew consensual cooperation and depend on procedural inducements, in this case sanctions and possibly force. In another instance, the worker may obtain the parent's compliance by advising her that she may be in danger of having her child removed from the home unless she invokes the order. This, on the face of it, may seem like an illocutory effect as both participants agreed on the final outcome (that the child be housed in a safe situation), but this example shows that perlocutionary effects depend on illocutionary effects in which hearers can understand and accept speech act offers. What the parent may not know in this case is that children cannot be removed without either a voluntary commitment by the parent or through a court order. Once again, in this instance, a perlocutionary effect is allied with strategic action in that it involved deceit. However, it is only because the parent assumes that the speech act offer was oriented to mutual understanding and accepts it at face value could the offer have any strategic influence. As Habermas writes, perlocutionary effects are possible only "if the speaker pretends to pursue the illocutionary goal of his speech act unreservedly and thereby leaves the hearer unclear as to the actually present one-sided infraction of the presuppositions of action oriented towards understanding" (1984: 306).

To show more clearly Habermas's claim that communicative action is the primary form of language, Figure 5.6 presents the essential three levels of 'speaking and acting'. In

other words, how the process of communicative action 'works'.

The speaker's level represents a *propositional stage* of linguistically expressed action coordination proposals that are offered as fully open to criticism. The hearer's level represents a *hermeneutical stage*, wherein the hearer after understanding and interpreting the speaker's utterance, has freedom to respond, whether positively, negatively, or in an undecided position. The two levels may demand an iterative process of negotiation and argumentation but are solely motivated by the mutual need for reaching a rational consensus. In Habermas's words, emphasis in original):

A communicatively achieved agreement has a rational basis, it cannot be imposed by either party, whether instrumentally through intervention in the situation directly or strategically through influencing the decisions of opponents. Agreement can indeed be objectively obtained by force; but what comes to pass manifestly through outside influence or the use of violence cannot count subjectively as agreement. Agreement rests on common convictions. (1984: 287)

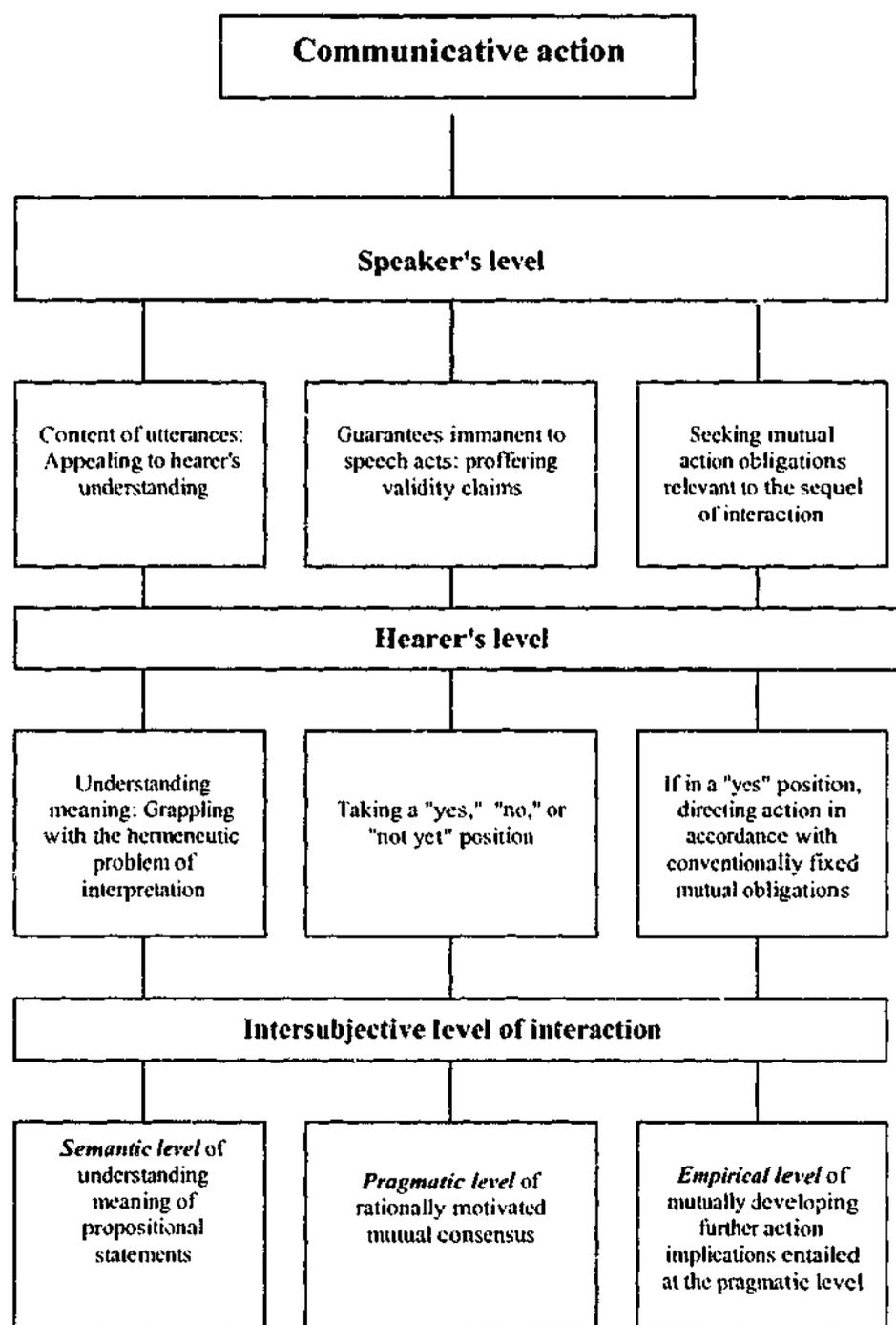
The third level, the intersubjective level of interaction, represents the *dialogical stage*, wherein a mutual rational consensus evolves at the pragmatic level of language so that at the empirical level, final individual teleological action plans can be consummated in an intersubjectively coordinated manner.

Habermas's action types

Purposive-rational action is oriented to the realisation of an end; it is geared toward 'success.' There are two types of purposive-rational action: (a) instrumental - which is oriented towards success, follows technical rules, and can be appraised from the standpoint of the efficiency of goal-oriented intervention in the physical world. (Habermas, 1982:63) and (b) strategic which is also success oriented, but it follows the rules of rational choice

and "can be appraised from the standpoint of the efficiency of influencing the decisions of rational opponents" (1982: 264).

Figure 5.6: Communicative Action: The "originary" form of language-in-use



(Adapted from Oliga 1996: 249)

For instance, instrumental action, as discussed in the previous chapter, can produce an electronic cattle prod, strategic action determines whether to use it on humans. Purposive-rational action tends to dominate in the sphere of systems. Communicative action, on the other hand, is the “medium through which the symbolic structures of the lifeworld are reproduced” (Habermas, 1982: 264). They are social interactions “coordinated not through the egocentric calculations of success of every individual but through the cooperative achievements of understanding among participants”. Figure 5.7 represents Habermas’s action theory.

Figure 5.7: Types of Action

Action orientation <hr/> Action situation	Oriented to success	Oriented to reaching understanding
Non social	Instrumental action	-----
Social	Strategic action	Communicative action

(Habermas 1984: 285)

The fundamental difference between actions oriented to success and actions oriented to understanding has to do with the actor’s point of view. Habermas argues that “social actions can be distinguished according to whether participants adopt either a success oriented attitude or are oriented to reaching an understanding” (1984: 286). He argues that we can distinguish between different forms of action by determining the intent of the actor through the analysis of their speech act. If the intent is to produce perlocutionary effects in the objective world, then the actor is engaged in strategic action; in this case, the speech act

serves as 'means oriented to success'. The aim of illocutionary acts, on the other hand, is understanding. Through an illocutory act "a speaker lets the hearer know that he wants what he says to be understood as greeting, command, warning, explanation, and so forth" (Habermas 1984: 290).

By arguing that reaching understanding is the purpose behind all human speech, Habermas does not mean to say that speech and understanding are related to one another as means to ends. Rather, he wants to show that we can explain the concept of reaching understanding by specifying what it means to use sentences with communicative intent. By examining the formal-pragmatic feature of speech acts, Habermas maintains that we can distinguish between actions oriented towards success from those oriented to understanding.

Habermas (1984: 295) does not reduce human action to speech acts. He states that "acts of communication should not be confused with what I have introduced as 'communicative action'"); rather, he argues that speech acts are the 'mechanism' through which participants (in communicative action) coordinate their behaviour. Through speech acts participants make known their positions; each has the opportunity to contest any offer in the light of the three validity claims. In this way, participants attempt to achieve 'rationally motivated' consensus:

What stands behind the reciprocally raised validity claims in communicative action are potential reasons as a (kind of) security reserve, rather than sanctions or gratifications, force or money, with which one can influence the choice situation of another strategic action. (Habermas 1982: 269)

This, according to Habermas, is what makes communicative action 'rational'. It is geared to reaching understanding versus success. Its connection to illocutionary speech is what makes communicative action the primary (originary) mode of action. Habermas defines action as "only those symbolic expressions with which the actor takes up relation to at least one

world (but also to the objective world as well)" (1984: 96). In distinguishing between language and action he suggests "language is a medium of communication that serves understanding, whereas actors, in coming to an understanding with one another so as to coordinate their actions, pursue particular aims" (1984: 101). In this sense, all concepts of action are teleological; that is, they are goal oriented. But here, however, Habermas makes a distinction between strategic and communicative action. He argues that strategic action is devoted solely to success: it only relates to one world - the objective. The "other models of action, however, specify particular conditions under which the actor pursues his goals - conditions of legitimacy, of self-preservation, or of agreement arrived at in communication" (1984: 101). In this model, only communicative action relates to all three worlds.

There remains an important distinction between the two types of action that cannot be ignored. Strategic action is action coordination by coercion (e.g. deceit, inducements, sanctions and so on) whilst communicative action is interaction coordinated through understanding. The significance of this distinction has to do with our understanding of legitimacy. Habermas believes that communicatively shared convictions are a source of legitimate power and that this power is generated through communicative practice in everyday life in the lifeworld where no coercion is involved. By introducing

force as an alternative to action coordinating mechanism of reaching understanding; and *power* as a product of action oriented to reaching understanding, one gains the advantage of being able to grasp the forms of indirectly exercising force that predominate today. (Habermas 1979: 269)

In other words, this allows us to differentiate between sources of *legitimate* power guided by communicative action, and those powers that appear legitimate, but in actuality are not derived from communicative practices. Both types of power meet with consent, otherwise

they could not last. According to Habermas (1979: 262), only a discourse theory of ethics can allow us to “rationally distinguish legitimate from illegitimate domination”

Discourse Ethics

Many moral theories have an investigatory orientation: they are preoccupied with uncovering moral truths. By contrast, a practical orientation is attentive first and foremost to the aims of our moral practices - what we are doing when we attempt to establish a moral relations and to deliberate morally with other people. These aims may include, for instance, the aim of reaching agreement, attending to people’s basic interests, displaying mutual respect or affirming shared values or a certain way of life.

Features of this practical approach are present in Habermas’s *discourse ethics*. Discourse ethics holds that legitimate ethical norms are those that would be affirmed by free and harmoniously situated participants in ideal discourse. In their deliberations, participants in ideal discourse attempt to determine whether all persons affected by a proposed norm, or standard of action, could accept the consequences and the side affects that the general observation of a norm might be expected to have for the interests of each person. Habermas elaborates an argument for discourse ethics that aims to establish that the idea of discourse ethics is implicit in the normative regulation of social life, broadly speaking. His analysis of the connection of our social practices with the activity of exchanging reasons in ideal discourse helps us to see what is involved in working out a practical approach to ethics.

The principles of Discourse Ethics

Discourse ethics claims there is a set of norms that is presupposed by rational communication. The idea is that we commit ourselves to advancing arguments that conform to these norms, if called upon to do so, insofar as we engage in activity of rationally communicating with other people. When we deliberate with one another about, in particular, the substantive moral norms that legitimately regulate social life, discourse ethics holds that we are implicitly committed to certain ethical principles (which Habermas labels *U* and *D*, which I shall elaborate on below). These principles state highly abstract requirements of essential moral standards, and should be distinguished from the important moral norms they are meant to regulate. The latter include principles such as justice: a principle that states that all citizens in a democracy are to be granted certain rights and liberties, for instance. However, this principle must meet the requirements of the principle of discourse ethics if it is to be considered legitimate.

Discourse ethics claims that when we advance arguments that aim for agreement on essential principles we have already committed ourselves to the idea that an argument is valid only if it satisfies the ethical constraints articulated by the principles of discourse ethics. These claims are explained in some detail in the next six steps.

First, rational communication is a form of communicative action. Habermas claims that rational communication has a practical purpose: it serves to coordinate the 'action plans' of several actors. It does so, however, in a particular way. Communicative action takes place when "actors are prepared to harmonize their plans of action through internal means, committing themselves to pursue their goals only on the condition of an agreement - one that already exists or one to be negotiated - about definitions of the situation and

prospective outcomes" (Habermas 1990: 134). By referring to 'internal means' Habermas intends to exclude the use of force or sanctions to bring about agreement in judgement and the harmony of action plans. Communicative action relies instead on the free consent of the participants. More precisely, communicative action aims to reach a mutually acceptably agreement that will serve to render harmonious the plans of the actors involved.

Communicative action, as has been explained on a number of occasions, contrasts with strategic action. This contrast concerns the motivational impact and methods of acting. Strategic action is action oriented towards success' given egocentric aims. Strategic rationality involves instrumental calculations: the problem is to achieve some end by selecting the appropriate means. Strategic action may be at the same time social (rather than purely technical) in that it can involve an agent's attempt to influence the behaviour of other people, but strategic attempts to influence others lack the value placed on reaching consensus that is characteristic of communicative action. The promise of rewards and outright threats of harm as well as other forms of coercion implanted for strategic purposes are not necessarily irrational, and consequently, social relations characterised by strategically rational actions may not be conflictual and unstable. The coordination of actions and any degree of cooperation depend solely on the extent to which the self-interested utility calculations of actors involve mesh (Habermas 1990: 133).

Communicative actions, on the other hand, are actions in which agents are oriented toward reaching a mutual understanding, and each appeals to a like orientation in others (Habermas 1984: 286). Habermas explains:

Whereas in strategic action an actor seeks to influence the behaviour of another by means of threat of sanctions or the prospect of gratification in order to cause the interaction to continue as the first actor desires, in communicative action one actor seeks rationally to motivate another by

relying on the illocutionary binding/bonding effect (Bindungseffekt) of the offer contained in his speech act. (1990: 58)

The illocutionary binding/bonding effect' Habermas refers to is the motivational impact on others of the promise that a participant implicitly makes to provide reasons to defend the validity of his or her claims, if challenged to do so. The effect is that, in general, agents assume that the claims others make are valid. What the speaker does in performing a speech act is enter into a relationship of obligation with the hearer. For Habermas, an essential feature of speech acts is their ability to "influence the hearer in such a way" that the hearer "can take up an interpersonal relation" to the speaker (Habermas 1979: 36-37). This relationship is based on the speaker's undertaking to support what he/she says with reasons. Habermas conceptualises this in terms of the validity *claim* raised by the speaker. The speaker claims that what he/she says is true or right and offers to provide reasons to support the claim he/she raises if the hearer argues that it is necessary. This is Habermas's distinctive interpretation of the illocutionary force of an utterance. The illocutionary force of an utterance is a *coordinating power*. This can be traced back to the speaker's assumption of responsibility to show that what he/she says is justified, for this brings about an intersubjective relationship bound by reciprocal obligations. Habermas describes it as a 'warranty' provided by the speaker to the effect that he/she could redeem her claim to validity of what is said if that is necessary. When Habermas refers to illocutionary force, therefore, he is thinking in terms of this warranty. For Habermas the illocutionary force is a *binding* force in the twin senses of *bonding* and *compelling*. It comes about, ironically, through the fact that participants can say "No" to speech acts. The critical character of this saying "No", the fact that it must be capable of being backed up by reasons, distinguishes it from a reaction based solely on caprice. This leads to our second step.

Second, communicative action involves the aim that others accept the validity of our utterances. As indicated above, communicative action is action "oriented toward reaching understanding" (Habermas 1984: 286). When we speak or otherwise act with the intention of the other person understanding us, Habermas's *formal pragmatics* claims that we are attempting to do something. We are aiming to establish a relationship with a person. That relationship depends on the other person's acceptance of the validity of our utterance. The consensual regulation of action achieved through communicative action supposes, that the consensus reached (or aimed at) could at any point be evaluated "in terms of the intersubjective recognition of validity claims" (1990: 58). Validity claims have cognitive content, he argues, given in the form of reasons. Thus, consensus on scientific truths or moral norms, for example, can be evaluated in terms of the reasons agents take to support them.

Third, a claim is valid if it would be accepted through rational argumentation or discourse. Rational actors can at any time challenge each other to give reasons for the validity of their claims on one another. Thus, communicative action always points toward the possibility of rational argumentation. Habermas writes:

The rationality proper to the communicative practice of everyday life points to the practice of argumentation as a court of appeal that makes it possible to continue communicative action with other means when disagreements can no longer be repaired with everyday routines and yet are not settled by the direct or strategic use of force. (1984: 12)

When such disagreements arise, the participants can "pass over to the level of discourse" (1979: 64). In discourse, reasons are put forth and defended with arguments. The strength of an argument is evaluated in terms of the soundness of the reasons given (1984: 18). Habermas claims that, like communicative action, discourse is 'domination free'. In

discourse (unlike in communicative action in general), what this means is that nothing but the force of the better argument motivates its participants to accept a particular outcome.

As suggested earlier, in communicative action that has not yet passed over to the level of discourse, the motivational impact of action is not directly provided by the actual cognitive validity of a speaker's claims but rather sparked by a "speaker's guarantee that he will, if necessary, make efforts to redeem the claim that the hearer has accepted" (Habermas 1990: 58). The speaker affirms the validity of her/his claims and expresses a commitment to defending the validity claim with sufficient reasons if called upon to do so. Each judges and acts only in ways that he or she believes can be justified by others (that is, all claim to be able to 'discursively redeem' their claims to validity). The effect is that, in general, agents assume that the claims others make are valid. The hearer's rational acceptance of the speaker's guarantee enables a consensus of judgement to come about and permits a rational coordination of plans.

Fourth, in practical discourse (compared with discourse in general), we assess the validity of proposed norms in accordance with a Discourse Principle (D). The discourse principle has special saliency in contemporary societies. Members of modern pluralistic societies, Habermas asserts, "find themselves embroiled in global and domestic conflicts in need of regulation" (1998: 39). They continue to regard these conflicts as rationally resolvable, "but their shared ethos has disintegrated" (1998: 39). For a possible resolution, discourse ethics abstracts from the content of people's disagreements, and directs them to a consideration of the formal or structural features of discursive practices per se (1998: 41). Habermas claims this leads us to a Discourse principle – or principle D. Principle D states: "only those norms can claim to be valid that meet (or could meet) with the approval of all

affected in their capacity as participants in a practical discourse" (1990: 66). D articulates, in a purely formal way, an understanding of what it is to justify action-guiding norms (1998: 43). It conveys the basic idea of discourse ethics.

The introduction of the principle D however, is hypothetical in the sense that the possibility of successfully applying this principle needs to be established. Formidable obstacles to its successful application are found in the very conflicts that give rise to the need for a discourse ethics in the first place: familiar and sometimes deep disagreements among persons with different value-orientations about how to resolve normative questions. If discourse ethics is to justify its claim that the formal presuppositions of discourse can be used to resolve such disagreements, it must establish a principle that can show how conflicts are to be negotiated. In order to 'operationalise' D with respect to moral discourse, that is, show that it can be realised, Habermas claims a 'bridging principle' must be introduced that can establish the possibility that agreement on action-guided norms could in fact be reached in the face of value pluralism. The derivation of this bridging principle will thus respond to the condition of pluralism characteristic of modern societies. Habermas's approach is the following: he aims to establish that the derivation of this bridging principle depends on claims about the formal features of argumentation in general.

Fifth, as we have seen, Habermas believes those communicative action points toward the possibility that the validity claims implicit in such action can be redeemed through argumentation. This is true, he believes, of communicative action of all sorts. As he understands it, the argumentation towards which communicative action points is not exclusively moral argumentation about the validity of norms for regulating actions; it may be such as to address truth claims more broadly construed. As Habermas understands it,

communicative action encompasses all illocutionary acts. He analyses illocutionary acts as falling into three general categories. First of all, they encompass constative speech acts which are speech acts that put forth claims to factual accuracy. Secondly, they encompass regulative speech acts that aim to establish the appropriateness of norms to govern social interactions. Finally, they encompass subjectively expressive speech acts which can be evaluated for their sincerity. Illocutionary acts, as Habermas understands them, includes all acts we perform with language that aim to establish a certain sort of interpersonal relationship: one in which the hearer understands the claims the speaker puts forward, and accepts them as valid. All such acts could in principle call upon speakers to back up their claims with arguments.

Drawing on a general theory of argumentation, Habermas maintains that all argumentation presupposes that a context of discussion guarantees, in principle, freedom of access, equal rights to participate, truthfulness on the part of the participants, and the absence of coercion in adopting positions (Habermas 1993: 31). He refers to these as "general symmetry positions" and states these presuppositions more formally as follows (Habermas 1990: 89):

1. Every subject with the competence to speak and act is allowed to take part in a discourse.
2. Everyone is allowed to introduce any assertion whatever into the discourse.
3. Everyone is allowed to express his attitudes, desires and needs.
4. No speaker may be prevented, by internal or external coercion, from exercising his rights as laid down in 1, 2 and 3.

The theory of argumentation upon which discourse ethics relies alleges that arguments that depend on violating any of these rules fall short of being rationally convincing, and thus must fail to demonstrate the validity of principles or other claims put forth. If the

above presuppositions are in fact unavoidable and rationally necessary premises of argumentation, as Habermas claims, then any attempts to jettison them will be inconsistent. Consider the following statement: "If you do not take out an intervention order I will remove your child!" Such a statement, argues Habermas, involves a 'performative contradiction'. Argumentation that claims to establish the validity of a claim (in this case to normative rightness, i.e. parents should protect their children) implies a mutual agreement in that the claim could be worked out by way of full discursive participation of rational and relevantly situated persons. In this example, however, it is claimed that validity has been established under conditions that preclude the full and free participation of all i.e. an ultimatum. This is inconsistent with both parties attempting to reach agreement on the appropriate norm.

Finally, from the rules of Discourse ethics and some idea of what it is to justify norms (D), we can deduce Principle U. Habermas holds that these rules together with an understanding of how norms can be justified (1990: 92), entails a 'principle of universalization' (Principle U). His argument is that if one engages in argumentation with the aim of establishing that certain norms of action ought to be adopted, that is, if one attempts to redeem the validity claim associated with regulative speech acts, the presuppositions of discourse entail that one also presupposes Principle U. Principle U claims "a norm is valid when the foreseeable consequences and side effects of its general observance for the interests and value-orientations of each individual could be jointly accepted by all concerned without coercion" (1998: 42). This principle is, Habermas claims, part of the logic of moral argumentation (1990: 57). U is the dialogical equivalent of Kant's categorical imperative (Rasmussen and Swindal 2002: xxvi). It serves to evaluate

norms of action from a moral perspective.

What U appears to add that D lacks, is a more specific analysis of the moral status of persons and their claims: the interests of each person are morally important and can ground moral claims upon us. All persons have equal claims, based on their fundamental interests. U acknowledges this equal status by having us take up the perspective of other persons and determine whether the proposed norms are acceptable in view of the interests of all. In effect then, it directs each person to take an interest in the interests of others. This reciprocal perspective-taking establishes that all can accept proposed norms when each considers the effect that general compliance with those norms would have for the interests of all. Moral norms, thus, are not the outcomes of self-interested bargaining and compromise, but represent a genuine consensus that each participant considers fair and in the best interests of all.

Moral Judgement

Morality often requires us to make judgements about the relative urgency of goods for particular persons. Generally speaking, more urgent needs should take priority. Moral judgement is required in order to 'actualise' Principle U; that is, the actualisation of U relies on comparative judgements of the costs it is reasonable to impose on some persons for the sake of benefits to others- for instance, the child protection worker's imposition of conditions on the parent for the sake of the child's safety.

Habermas is right to maintain that there are often many choices that participants in practical discourse can legitimately make (that is, as he sees it, there many choices that would not generate performative contradictions). He also seems right to claim that a

determinate result can be reached only when the various individual and shared purposes and background understandings are figured in, that is, when discourse is carried out. The question is how these purposes and understandings are to figure in and how it is reasonable to proceed in view of them. This is where the real work of moral reasoning is done. Habermas takes this to show that principles best suited to resolve a practical moral conflict must be determined by what the particular persons who are engaged in the conflict would actually choose were they to abide by the constraints of ideal discourse.

The possibility of moral consensus depends on people's commitment to finding reasonable and even creative ways to balance their competing yet legitimate interests. It characterises not only the symmetrical situation of participants in moral discourse, but also their aims and orientations within it. Principle U, in effect, holds that the parties to practical discourse should not aim for agreement *per se*, but for reasonable agreement. A complete theoretical analysis of the idea of the reasonable may not be possible. Judgements about what is reasonable are not fixed and universal, and it makes sense to think that an analysis of the notion of the reasonable requires contextualisation before it will yield any results. On the importance of contextualisation, we would agree with Habermas that what is reasonable to reject will often depend on purposes and values whose content and importance are socially relative. Moreover, moral discourse is required in order to work out the content of the reasonable within given contexts and with regard to particular cases. Whether our reasons are morally acceptable is something we determine in concert with others in view of the values and practices we share with them. There is no authority beyond agreement among participants in moral discourse for determining what counts as a reasonable proposal. In moral discourse we rely upon substantive ethical judgements to guide our

principled assessment of what counts as a legitimate outcome. Such judgements are crucial if we are to be able reasonably to convince others that they have good reasons to endorse our proposals. The implementation of U relies on them.

Habermas suggests that in stepping back to describe what he takes to be purely formal constraints on discourse (including U), the participant can retain an observer status (1990: 40). However, a description of discourse ethical constraints is meaningful only in the context discussing what is involved in applying them in practice. This requires the participant to actively engage in some substantive moral reasoning, however indeterminate and fallible it might be; that is, to engage as a participant in moral discourse. Further, contextualisation may well be required in order to resolve actual disputes but, nevertheless, the line between participant and observer has already been blurred. Moreover, since the requirements of reason cannot be codified by a list of formal constraints on a procedure of reasoning, the outcome of discourse can always be checked and possibly revised upon reflection. The outcome of actual moral reasoning is no more immune to examination and revision by reasoned reflection than is our best judgement of the outcome of ideal discourse.

Let us return to our hypothetical child protection case where we can see that the context of discourse is not conducive to the rules of discourse ethics. No matter how much the worker may desire to engage in an exercise of mutual understanding with the parent, she is constrained by the system within she works. Pre-determined policies and practices dictate any decision she may make. These policies and practices are informed by a set of ideologies based on a socio-legal paradigm that is not conducive to discourse free from coercion. Any moral judgements chosen by the child protection worker are informed not

only by that person's personal moral and ethical constitution but also the imperatives of the institutional context within which she/he works. These imperatives are informed by the various ideologies that have been identified as being associated with the practice of child protection (see next chapter).

Ideology is, first and foremost, a distortion engendered at the level where work, power and discourse are intertwined. Moreover, ideology is a distortion stemming from violence and oppression (Ricoeur 2002: 135). As we saw at the beginning of this chapter, the interest in emancipation, which is fundamental to communicative action and discourse ethics, is active in the work of unmasking hidden systemic distortion. The next section will discuss the role of ideology in child protection and its distortive effects.

Chapter 6

Ideology as Systematically Distorted Communication**Introduction**

The purpose of this chapter is to discuss the concept of ideology in relation to the social theory of Jürgen Habermas, and how theory and ideology impinges on the everyday practice of child protection. Whilst being a complicated concept, ideology plays an integral part in the system/ lifeworld nexus. It is the point at the interface of the lifeworld and system where, according to Habermas (1987), the colonisation of the lifeworld by the system occurs. It is "a kind of sociological epoxy-resin" (Kaufer and Waller 1985: 75) that holds a culture together and that facilitates the structural and personal levels of analysis (Spratt and Huston 1999). As such, it can be used as a conceptual and analytical tool (Therborn 1980) to explore a range of prevailing ideological discourses that have an effect on systemic child protection practice. According to Thompson (1984: 141), "study ideology...is to study the ways in which meaning serves to sustain relations of domination".

In the context of meaning, ideology may be seen as a system of ideas, values and beliefs oriented to explaining a given political order, legitimising existing hierarchies and power relations and preserving group identities. Ideology provides a paradigm for explaining both the horizontal structure of society (the division of labour) and its vertical structure (the separation of the rulers and the ruled). It produces ideas and world views

which legitimise the latter by depicting domination to be part of the natural order (Chiapello and Fairclough 2002: 187).

Habermas, revisited

Intersubjectivity and lifeworld are fundamental concepts for Habermas. They are the basic starting points for his social theory and for his conceptualisation of social life. The earliest and most basic of societies, he argues, were primarily constituted in the form of the lifeworld; that is, "the realm of culture, personality, meaning and symbols, all of which form the basis of communication" (Swingewood 1991: 291). However, as a result of the evolution of societies throughout the last millennia, systemic features based on instrumental and strategic rationality have emerged which has relegated the lifeworld to a position of a subsystem within the social system (Crossley 1996: 99). For Habermas, capitalist society has become highly regulated and centralized. The public sphere, which functioned to mediate society and the State in nineteenth-century capitalism, has been eclipsed by technology and bureaucracy (Swingewood 1991: 290). As a consequence, Habermas (1987) argues that modern societies must be studied both from the perspective of the lifeworld and system from a perspective which will study the relationship between the two.

Habermas (1984, 1987) constructs a theory of communicative action. This forms the basis for his analysis of the intersubjective nature of human interaction and notions of lifeworld and system. What Habermas adds to other attempts at analysing the distinction between structure and human agency is an understanding of the validity claims that are integral to our communicative actions. When agents interact communicatively, he argues,

they simultaneously make claims regarding: (a) the objectivity or verifiability of the particular circumstances referred to or implied in what is said; that is, that the propositional content of what is said is true, where the 'propositional content' refers to the factual assertions that the speaker makes as part of what he or she says, and (b) the normative justification of the speaker to say whatever is said; that is, their social and moral right to say what they said according to the social rules or 'norms' invoked in a given context of language use, and (c) that the speaker is sincere in what is being said and does not intend to deceive the hearer. This claim can be assessed by the eventual consequences of deception.

In the case of child protection, 'the best interests of the child' is the norm that lies at the heart of child protection practice. However, this is open to interpretation. What, for instance, is the child's 'best interest'? Who decides? And what of the child? Does the child have an opinion about his or her best interests, and will the child be listened to in any case? What a parent or child perceives to be the child's best interest may be in stark contrast to that of the child protection worker. If so, the parent or child may not accept that the worker is justified in her judgment and actions.

Undistorted communication is communication in which all validity claims – whether what is said is accurate, justified and sincere – can be defended. This is what Habermas calls an 'ideal speech situation', that is, one in which there are no external constraints preventing participants from assessing evidence and presenting argument, and in which each participant has an equal and open chance of entering discussion. We can identify the claims of the bogus and the insincere by pointing to facts in the intersubjectively experienced world to counter the assumptions or claims that others might make about it. Even when we contest the claims of others, however, insofar as our interaction is based on

communicative action, we will still recognise them as speakers. Indeed, in disagreeing with them we are precisely recognising them as serious interlocutors. A successful communicative action, for Habermas, is one in which such a disagreement is worked out by dialogue, where the best argument achieves consensus without coercion, domination or manipulation.

From our own experience, we recognise that the actual conditions of social interaction are not like this. We know that language is often the crucible of conflict and power, which, superficially, might suggest that it is not the place to expect reason to flourish. What then, is the point of ascribing such importance to an ideal speech situation? Habermas argues that ideal speech is the foundation of all speech action – if it was not, we would never be aware of the distorting effects of social power in the first place. An ideal speech situation is not an arbitrarily constructed ideal. It is inherent in the nature of all language. When someone is talking to us we assume that they know what they are talking about, that they are justified in saying it, and that they are being honest with us. If we discover that they are talking nonsense, that they are not in a legitimate position to say the things they said, or that they are lying to us, we feel offended, angry and hurt. Because of the inherent nature of the ideal speech situation, a single utterance holds out the possibility of redeeming a form of social life in which individuals can live in free, equal and open communication with one another. Since this is the case, it follows that the ideal speech situation provides a critical measure of the insufficiencies of currently existing forms of interaction and social institutions by identifying and exposing deviations from the ideal. Any consensus based on either the sheer weight of tradition or on the use of power or domination, would be exposed as deviating from a rational consensus. As such, the ideal speech situation is by its very nature

emancipatory as it has the potential to afford the powerless the opportunity to become conscious of their domination. As Habermas (1986: 9) asserts, "this interest can only develop to the degree to which repressive force, in the normative exercise of power, presents itself permanently in structures of distorted communication – that is, to the extent that domination is institutionalised." Habermas connects the emancipatory interest achieved through critical reflection with reason, where reason is aimed, first, at uncovering hidden structures of distortion and, second, at the dissolution of the effects of distortion. As Habermas explains:

The experience of reflection articulates itself substantially in the concept of a self-formative process. Methodologically it leads to a standpoint from which the identity of reason with the will of reason freely arises. In self-reflection, knowledge for the sake of knowledge comes to coincide with the interest in autonomy and responsibility. For the pursuit of reflection knows itself as a movement of emancipation. Reason is at the same time subject to the interest in reason. We can say that it obeys an *emancipatory cognitive interest* which aims at the pursuit of reflection. (1972: 198)

Not all action and interaction is communicative action, however. It is central to Habermas's social theory that there are instrumental and strategic modalities of action both of which contrast with communicative action. These two other forms of action involve communication but they do not rely on agreement for their success, and they are not oriented to the goal of mutual understanding. Instrumental action is means-end action on behalf of the physical and cognitive labour that is required to transform material nature and to provide for our material needs for food and other goods. It is judged solely on the basis of its success in realising the 'end' to which it is oriented. Strategic action, by contrast, is a form of interaction with others which relies on institutional-intersubjective norms or resources (money or power) rather than agreement for its effectiveness as action. For instance, a child protection worker does not need the agreement of a client in order to take

protective action for a child that the worker perceives to be in danger: her/his institutional authority will suffice. In cases of strategic action, process of argument is short circuited by economic or political intervention.

Social integration - the lifeworld perspective of communicative action - Habermas argues, has been supplanted over time, by system integration. The essential point that Habermas is making is that self-regulating mechanisms have emerged within which instrumental behaviours free of "norm-conformative attitudes and identity-forming social memberships" (1987: 154) are facilitated and expected. Behaviour and interaction patterns are stabilised and regulated in the context of bureaucracies and formal organisations. They are rationalised, subsumed under formalised orders, roles and routines, such that they are indifferent to the private attitudes of their incumbents. The motivation and rationale of such institutions are mediated by money flow and/or power rather than by communicative action.

Habermas (1987: 318-326) identifies two distinct spheres that relate to the systemic steering subsystems of money (economy) and power (administration/ bureaucracy). There is a private sphere, which corresponds to and relates to the economic subsystem, and there is a public sphere, which relates to the administrative subsystem. Furthermore, each of these two spheres can be further divided into two roles that individuals occupy, and which rely upon money and power for their organisation rather than communicative action. Within the private sphere, individuals play the roles of employee when they sell their labour and receive a wage. They also play the role of consumer. The consumers constitute economic demand and purchase goods and services. Both of these role sets are mediated by money. In the public sphere, individuals play the role of client and pay taxes. The roles are

also mediated by money. Administrative power is used to direct this money into organisational achievements which are ostensibly meant to benefit the taxpayer. Individuals also play the role of citizen. Power is exercised among them in the form of political decisions. They exercise power through their votes. The family forms the core of the private sphere as it is the chief site of consumption and the media, as the agency of opinion and will formation, is the core of the public sphere (Habermas 1987: 319).

This is the way in which the lifeworld is integrated into the system. Each subsystem relies upon each of the others working and interacting in specific ways. Importantly, however, each systemic process can be registered at the level of the lifeworld. Public opinion formation, for example, is determined by communication between individuals, a lifeworld activity. Its result, loyalty to the dominant power structure, is a systemic property.

As far as Habermas is concerned, it is important that the system/lifeworld nexus is maintained in any form of societal analysis. It allows us to register the effects of systemic changes and logics upon concrete lives. An important feature of Habermas's approach is that it contains an ethical stance. Systems are related to persons and therefore their performance can be judged as either good or bad. Habermas is prepared to say that in some respects systemisation has been good in that it has advanced the potential for human survival. At another level, however, he maintains that systemic developments have led to a colonisation of the lifeworld which is certainly not desirable; indeed, which is 'pathological'. Habermas contends that the simultaneous disguise and defence of systematically distorted communication is "the paradoxical result of ideologies" (1971: 120).

Habermas and ideology

In his earlier work, Habermas speaks of an ideology as a 'world picture' which stabilises or legitimises domination or hegemony (1971: 99). It is by virtue of the fact that it supports or justifies reprehensible social institutions, unjust social practices, relations of exploitation, hegemony or domination that forms a consciousness that is ideology.

However, in his later work (1979, 1984, and 1987), Habermas develops a systematic understanding of ideology drawn from his reconstruction of Marxist philosophy. Habermas claims that Marx reduces the independent dynamics of intersubjective, communicative relations to the subject-object relations of human beings controlling nature (Best 1995: 165). Habermas finds in Marx's work not only a reductionistic but also a scientific, technocratic interest that leads Marx to equate knowledge in general with scientific knowledge, and to undervalue the need for practical-moral reflection by granting too large a role to the development of productive forces as bearers of social change. Habermas argues, on the other hand, that social change requires both forms of subsystems – objective/subjective, system/lifeworld – to exist and that change comes about through reflective awareness, communication, debate and a critique of domination. Unless communicative rationality is as developed alongside technological rationality, there will be an insufficient basis for social transformation. As Habermas (1972: 169) says, "*liberation from hunger and misery does not necessarily converge with liberation from servitude and degradation.*" Habermas's conclusion is that these problems can only be overcome by replacing the paradigm of production with the paradigm of communication. As Habermas explains:

Marx was unable to conceive the transformation of concrete into abstract labour as a special case of the systematically induced reification of social

relations in general because he started from the model of the purposive actor who, along with his products, is robbed of the possibility of developing his essential powers. (1987: 342)

Marxism cannot then offer a "satisfactory account of late capitalism" (Habermas 1987: 343). A more adequate account would have to develop a more sophisticated model of system-lifeworld relations than Marx's concept of base- superstructure, and it would have to come to terms more seriously with government interventionism, mass democracy and the welfare state, all of which was non-existent when Marx was formulating his theories. Class conflict, which was starkly evident to Marx, has been diversified and pacified under the reformist forms of political action of late capitalism. Class antagonism resulting from private ownership of the means of production remains central to the economic system, but it no longer dominates the lifeworlds of citizens of modern states, who perceive themselves as citizens and consumers of public and private goods as well as employees: "the structures of alienated labour and alienated political participation develop no explosive power" (Habermas 1987: 348). In other words, people are too busy getting on with the demands of everyday life to be aware of the hegemonic forces that surround them. Thus, "the theory of class consciousness loses its empirical reference" (Habermas 1987: 352), as does the theory of ideology; society becomes too disenchanted to be "capable of taking on ideological functions" (Habermas 1987: 353)

In Habermas's view, ideology is a form of systematically distorted communication, one which functions simultaneously to disguise and defend the suppression of generalisable interests, that is, interests associated with all involved in discourse (Thompson 1981: 135). Habermas's version of ideology is encompassed in his thesis of internal colonisation (1987:332-373). The colonization of the lifeworld occurs when the 'mediatization'

(Habermas 1987: 196) of lifeworld relations by money and power extends into the core processes of symbolic reproduction, thereby displacing the role which communicative action would ordinarily play in those processes; that is, when money and power mediatise the process of socialization, social integration and cultural transmission.

The *mediatization* of the lifeworld by system imperatives, assumes the sociopathological form of an *internal colonization* when critical disequilibria in material production – that is, systemic crises amenable to system-theoretical analysis – can be avoided only at the cost of disturbances in the symbolic reproduction of the lifeworld – that is of “subjectively” experienced, identity-threatening crises or pathologies. (Habermas 1987: 305, emphases in original)

It is of considerable importance that it is the roles of ‘client’ and ‘consumer’ expand under this process while the public sphere, where the individual assumes the role of citizen, shrinks (Habermas 1987: 350). There is less opportunity for public participation and debate in the political processes, whilst leisure, sexual relationships, family life and even self-hood and psychological predisposition are increasingly incorporated into the administrative gaze and the market place. The chief dangers of this process, for Habermas, are the increasing intrusion of outside agencies into the private lives of individuals and the growth in dependence of individuals upon managers and service providers. In both these cases, the autonomy of individuals is undermined.

The crux of the colonization argument is that what were previously negotiable and contestable areas of life are increasingly being eroded and overtaken by the logic of the economic market and the exercise of administrative/bureaucratic power. Communicative action is replaced by strategic action: action that appeals to a source other than rational consensus and redeemable validity claims to achieve its ends. Social integration is achieved less by consensus, more by definite strategies and techniques of control, such as subterfuge

and manipulation. The role of the expert in lifeworld matters takes precedence, as White summarises:

Increasingly, specialized forms of argumentation become the guarded preserve of experts and therefore lose contact with the understanding process of the majority of individuals...the process...has a deforming effect on everyday life, for now that participants in the transference of validity which a rationalized lifeworld opened up to all competent speakers is increasingly short circuited. (1988: 116)

The practices of the experts, Habermas (1987: 370) notes, are not comprehensible to the ordinary citizen and they cannot, for this reason, be opened up to public argument and thereby made publicly accountable. This prevents citizens from being able to think critically. Habermas refers to this as a "fragmentation of consciousness" (1987: 355), which extends the notion of 'false consciousness' in traditional Marxist theory.

In place of "false consciousness" we today have a "fragmented consciousness" that blocks enlightenment by the mechanism of reification. It is only with this that the conditions for a *colonization of the lifeworld* are met. When stripped of their ideological veils, the imperatives of autonomous subsystems make their way into the lifeworld from the outside – like colonial masters coming into a tribal society – and force a culture of assimilation upon it (Habermas 1987: 355)

Further, Bohman (2002: 297) argues that, despite Habermas's concept of "systematically distorted communication" seeming to ignore ideology, a theory of ideology is treated as such in the context of language use. (Habermas 1979: 130) indicates:

Language is *also* a medium of domination and social power. It serves to legitimate relations of organized force. In so far as the legitimations do not articulate the relations of force that they make possible, in so far as these relations are merely expressed in the legitimations, language is also ideological. Here it is not a question of deceptions within language, but of deception with language as such

It is the illocutionary component of speech that is of greatest interest to Habermas's social theory (Habermas 1987: 62). The illocutionary component gets to the core of the social bond created in linguistic communication which integrates speaking and acting

through the medium of intersubjectively shared meanings and binding validity claims. As distorted communication, ideological speech performances hide the disconnection between speaking and acting subjects, thus undermining the basis of the intersubjective bond between speaker and hearer in normal speech acts. As Bohman explains:

Such disconnections make subsequent interaction incoherent: either the speaker violates the conditions of successful communication by paradoxically withdrawing a validity claim as it is offered; or the hearer is subject to a "forced recognition" of a validity claim, and thus the speech act violates the reciprocity conditions of all communicative action. Thus the regulative type of ideological speech undermines illocutionary force and restricts the range of communicative action and binding interaction. (2002: 302)

What warps such discourse is the impact upon it on extra-discursive forces such as power and money. Ideology marks the point at which language is bent out of communicative shape by the power interests that impinge upon it. However, the disfigurement of language by power is not just an external matter; on the contrary, such domination inscribes itself in our speech. Ideology then becomes a set of effects internal to particular discourses themselves.

If a communicative structure is systematically distorted, it will tend to present the appearance of normativity and justness (Eagleton 1991: 129). A systematically deformed network of communication tends to conceal or eradicate the very norms by which it might be judged and so becomes invulnerable to critique. The system's historical conditions of possibility are redefined by the system itself. It is not as though one body of ideas is perceived to be more powerful, legitimate or persuasive than another, but that the very grounds for rationally choosing between them have been deftly removed, so that it becomes impossible to think or desire outside of the system itself (c.f. Gramsci's 1971, concept of hegemony).

As well as “fragmented consciousness”, Habermas argues that the colonization of the lifeworld has also led to what he terms “cultural impoverishment” (1987: 355). What Habermas means by this is that a wide range of areas of life have, by virtue of a process of increasing cultural differentiation and specialization, become the preserve of various forms of expertise. Possessing knowledge is, by definition, esoteric, and is often closely guarded and protected. This has the consequence of deskilling individuals in relation to a wide range of spheres of action and of fragmenting their sense of the world. They are unable to form a coherent world view as the complexity of the social world and the specialization of discourses it entails defies synthesis. As a consequence, Habermas points out that:

the distance between expert cultures and the broader public grows greater. What accrues to a culture by virtue of specialized work and reflection does not come *as a matter of course* into the possession of everyday practice. Rather, cultural rationalization brings with it the danger that a lifeworld devalued in its traditional substance will become impoverished. (1987: 326)

A comparison can be made with Gramsci’s (1971) concept of hegemony. For instance, in regards to education, the education system generally (there are some exceptions) does not provide people with the ability to manipulate abstract symbols, to think clearly and critically about their life circumstances. On the other hand, many the institutional mechanisms through which perception is shaped – schooling (including, unfortunately, universities), religions, conventional political parties, the mass media – in one way or another support the hegemony of the ruling groups (Bocock 1986). Any analysis of the existing system is influenced by the dominant ideology. In this respect, language itself serves a hegemonic function (Femia 1981: 44). Like Gramsci, Habermas is interested in how the subtle connotations of language freeze perceptions, thus facilitating the acceptance of conventional assumptions and impeding the expression of dissenting

ideas. So while people may be dissatisfied, while they may sense the contradiction between the positive official definition of reality and the starkness of their subordination, they are unable to locate or critique the source of their discontent, let alone remedy it.

These processes of fragmentation and impoverishment have pathological consequences as far as Habermas is concerned (1987: 143, 385). At one level this involves a demoralization of society. Like Weber (1978), he recognizes the incapacity of strategically rational action systems to generate valid normative frameworks and he thus perceives their increased predominance as a loss of the moral core of society (which is otherwise constituted in normative structure of the lifeworld). In addition, however, he identifies directly psychopathological consequences. The capacity of the individual to construct a coherent narrative about themselves and their world is undermined. They are alienated from the types of knowledge that they need to construct a satisfying and legitimate story about their 'self', or indeed to experience that sense of autonomy which is central to well-being.

The influence of ideology on child protection practice

In their evaluation of the child protection process in Britain, Cleaver and Freeman (1995) found that responses of families and Child Protection Service (CPS) workers in child protection investigations differed markedly. Furthermore, the different meanings that the families and the workers adopted to the investigation were critical in shaping subsequent actions. For the families, the experience is grounded in fear, anxiety, and the need to cope throughout the crisis. On the other hand, for the professionals, the experience is one that requires keeping to procedures to avoid blame in case anything goes wrong.

Importantly, the research by Cleaver and Freeman (1995) shows that the outcome for the child is determined by the degree of congruence between professional and family perspectives: the lesser the congruence, the worse the outcome for the child. As Blumer (1969: 49) has explained, the meanings we attribute to others shape not only our thinking about them but also our actions towards them.

Ideologies associated with child protection

Habermas uses the term 'discourse' in relation to people's communication practices at an intersubjective level. Discourse occurs within the context of normative argumentation and as such contains an ethical dimension. Ciapello and Fairclough (2002) offer a further explanation of the term to involve social practices networked in a particular way so as to constitute a social order. The discourse aspect of a social order is what is called an "order of discourse" (Ciapello and Fairclough 2002: 194). An order of discourse is a social structuring and ordering of different ways of making meaning.

Some ways of making meaning are dominant or mainstream in particular orders of discourse. For instance, there is a dominant way for an initial investigation between a child protection worker and a parent to be conducted (arriving unannounced, in pairs). The dominant way maintains social distance between dominator and dominated, in this case, workers and parents. The political concept of hegemony (Gramsci 1971) previously discussed, relates to orders of discourse. A particular social structuring of discursive difference may become hegemonic, part of the legitimizing common sense, which sustains relations of domination. For instance, the lives of poor and disadvantaged people are represented through different discourses in the social practices of government, politics,

medicine and social science and through different discourses within each of these practices corresponding to different positions of social actors (Ciapello and Fairclough 2002: 194).

Ideological discourses relevant to the child welfare system were previously identified by Carter (1974), Parton (1985), and Spratt and Houston (1999). Adapting and expanding on Parton's (1995: 5) original model to include elements of Habermasian theory, Figure 6.1 provides a matrix of an array of ideological discourses with their effects in a range of practice components:

Blame/Retributive: This discourse is associated with the many moral panics inspired by the mass media, particularly following the death of a child at the hands of an abuser. It is directed at the CPS workers who are in a 'Catch 22' situation – being damned if they do and damned if they do not. Workers are portrayed as either incompetent bumbling idiots or interfering, power-hungry bureaucrats. The social construction of blame is reinforced by neo-liberal ideology about the primacy of family and the need for law and order. The culture of blame creates a 'protect your back' mentality amongst workers, which encourages an objectivist, instrumental and strategic paradigm of practice based on instrumental and strategic rationality.

Bureaucratic: As the child protection service is part of the structure of government, it bears the imprint of associated governmental bureaucratic mechanisms. This is manifested in two ways. First, it consists of highly organised hierarchical structures and second, it is exemplified in a range of case management systems, for example, child protection registers, case conferences, risk assessment and case management reviews. Likewise, the non-government sector of the child welfare system has its own bureaucracy consisting of meetings, reports, 'best practice' management, compilation of statistics,

quality assurance service audits, and so on. The emphasis on bureaucratic procedures stifles initiative and detracts from "understanding, meaning, discretion and the use of reflection" (Spratt and Houston 1999: 317). It is an environment of 'supply-led welfare' where policies and practice principles are circumscribed by resources available rather than tailored to need. Although the current child protection system may be seen as a coterie of investigators and case managers enacting narrow, output-based interventions which may make sense to corporate managers, it offers no social vision. To attempt to relieve social anxieties by targeting resources only at risky cases merely delays the next media scandal. When it arrives, criticism and responsibility will be directed at the workers, with the managers using the opportunity to put an even heavier layer of administrative law over welfare practice.

Medical: The medical ideology, also known as the 'disease' model, presupposes that constitutional forces beyond the control of the individual determine behaviour. Therefore, child abuse is seen as a disease with its own aetiology, prognosis and treatment. The expertise to effect change are the front-line CPS workers (sometimes assisted by the police) and the legal system. This ideology is typically applied to the investigatory side of child protection, and is mediated by the medical profession and its accompanying technology together with the 'helping professions' (psychologists, counsellors, social workers, and so forth). This ideology constitutes the basis for the 'treatment', usually through psychological counselling and the administration of psychoactive medication such as Valium or Prozac for women, Ritalin for children and adolescents. Counselling, psychotherapy and psychoactive medication are technologies that short-circuit the process of communicative reasoning (Crossley 1996: 282). They suppress the capacity for open communicative exchange and restructure the dialogical process in ways limited by the choice of treatment.

In respect to the lifeworld, the dilemma for the individual is that their conduct ceases to be understood as that of a reasonable and responsible moral agent. This may be attractive to such individuals if it allows them to avoid culpability for their actions but it is, nevertheless, a form of dehumanisation and disempowerment. Strategic action prevents them from engaging in discursively ethical, emancipatory dialogue. In respect to society, the dilemma is that areas of individual conduct are torn loose from the fabric of the lifeworld and deemed 'off limits' to the norms and values that underpin lifeworld methods of understanding, judging and managing them. The lifeworld and its members are effectively disempowered in this respect, a limit is set to the range of behaviours which are accountable to and controllable by them, making them dependent upon experts and specialized forms of technical intervention. This results in a substitution of technical for moral solutions, and thus constitutes a demoralization of the lifeworld.

Penal: This position is based on certain premises about the individual, the nature of child abuse, and societal responses to it. Fundamentally, the individual is seen as exercising free will. The act of abuse is constituted as a conscious breaching of accepted social rules. Professional responses are primarily punitive and the main agents of enforcement are front-line CPS workers (sometimes assisted by the police) and the legal system. This ideological discourse permeates the investigatory side of child protection. It is a manifestation of what Habermas terms "juridification" (1987: 357). By this he means the general tendency in modern society to the expansion and greater refinement of codified law. As Brand (1990: 55) explains, "areas of the lifeworld which are dependent on shared understanding as mechanisms of action coordination are formalized in a way which evokes 'pathological' reactions". People who have been relating in a communicatively-structured realm of action

now confront each other as legal subjects in a procedurally rational disposition. Family conflicts are 'solved' by resorting to formal criteria that can, by their nature, not do justice to the specifics of each case.

Humanistic: This position takes as its starting point a compassionate and rehabilitative leaning towards child abuse. In its more radical forms, the ideology focuses on structural processes such as social inequality (Gil 1970, 1998; Jamrozik and Nocella 1998; Mullaly 1997). Its influence has been minimized since the late 1970s and 1980s (Spratt and Houston 1999: 318) due to the ascendancy of 'new right' economic rationalist policies championing individualism and minimal government involvement. These policies have coincided with attacks on the social work profession for helping the 'undeserving poor'.

Technocratic: Spratt and Houston (1999: 318) explain that the word 'technocratic' was first coined in 1919 and refers to the influential position of technocrats in modern society. Child protection has been heavily influenced by a technocratic ideology in the sense that there is common belief that social problems are amenable to technical solutions. The 'quick fix' ideology has led to an individualised and predominantly reactive response to child abuse. The emphasis on classification, processing and superficial practice has replaced the search for understanding and meaning through reason and reflection i.e. all the tasks of communicative dialogue.

Figure 6.1: Ideological discourses associated with child abuse

	Blame	Bureaucratic	Medical	Penal	Humanistic	Humanistic	Technocratic
Discourse	Retributive	Organisational	Scientific	Legal	(a) Traditional	(b) Radical	Risk analysis
Normative Presupposition	Individual is 'bad'	Social problems can be managed	Behaviour is constitutionally determined	Individual has free will	Family dysfunction	Social dysfunction	Certain conditions produce risk
Normative Definition of child abuse	Immoral	Poorly managed social problem	Pathological	Cruelty	Child abuse	Child abuse	Danger to child
Attitude to problem	Parents 'bad', Workers 'incompetent'	Management processes need improvement	Results from internal forces beyond the control of the individual	Punitive; deviance is conscious defiance of rules	Compassionate; beyond control of individual/family cannot cope with situation	Relative; results from social processes	Preconceived view of 'normal' parenting upon which judgements are made
Relevant Habermasian rationality/action type	Instrumental Strategic	Instrumental Strategic	Instrumental Strategic	Instrumental Strategic	Strategic Communicative	Strategic Communicative	Instrumental
Focus of attention	Parents, workers	Bureaucratic processes	Disease process, pathology syndromes	Act of abuse, deprivation	The person; family, social situation; 'cycle of deprivation'	Social processes; structural inequality	Formulaic and mechanical classification and processing of clients
Tools	Moral crusades through media	Case conferences, registers, reviews	Medical expertise and technology	Legal code; courts	Counselling, therapeutic relationships, social experts	Social change	Risk assessment 'gadgets'; surface orientated practice
Conception of parent	Irresponsible	Object to be managed	Parent not responsible	Parent Responsible	Psychologically, emotionally and socially inadequate	Socially victimised	Source of risk
Purpose of intervention	Moral superiority	Avoid criticism	Treat and cure disease	Punishment	Personal/family rehabilitation; physical and emotional safety of children	Equality and empowerment	Early identification of risk to enable informed decision making
Some practising groups	Moral entrepreneurs; communications media	Bureaucrats, managers, CPS workers	Doctors, paediatricians, psychologists	Police, judiciary, lawyers	Social workers, psychologists, family counsellors	Some social workers, some sociologists	Technocrats, bureaucrats, CPS workers

Ideology as practice

In day to day practice, the worker involved derives some sort of meaning from the information obtained from the assessment process so as to determine what he or she thinks will be an appropriate course of action. Faced with a situation about which a decision has to be made, such as in a hypothetical case of the parent who is living with a violent boyfriend and whose child the worker considers to be in danger, the worker's approach may be informed by any or all of the above ideological discourses. These may compete with one another, or one or more may be favoured, depending on his or her ideological belief system. Whilst it is unlikely that a worker will entertain all of these ideological discourses at once without avoiding total confusion, they will be elaborated here for the sake of exposition. These discourses take the form of 'voices within the worker's head' seeking to persuade or direct a certain response.

Should this mother be seen as cruel and uncaring – "How could she stay in such a situation and place her child in danger (Blame)?" As reflecting a pathological condition on the part of the mother in response to stress – "There must be something wrong with someone who would live in such an environment" (Medical)! Another perspective may be where the worker sees the situation as largely explicable in terms of the build up of pressure upon the family and their reaction as understandable, if unfortunate – "She must be in a very stressful situation". The worker may even empathise with the mother through her own personal experience (Humanistic). However, whatever the ideological motivation, the worker is required to follow procedures as outlined in the Procedures Manual where a case plan meeting will be convened at which tasks will be assigned to various relevant expert professionals – "I'll have to ensure I keep accurate records in order to monitor the situation" (Bureaucratic). Also, the worker will be required to analyse this 'dysfunctional'

family through the standardized risk assessment process – “I’ll decide what action to take based on the results of the risk assessment” (Technocratic).

This example serves to illustrate how people involved in child protection may ‘self-talk’ the ideological discourses when making decisions, and also suggests that some discourses speak louder than others. For instance, one could assume that social workers, as members of a ‘helping profession’ (Jamrozik and Nocella 1998) are influenced mainly by the Humanistic ideology. However, there may be child protection workers who take great delight in “nailing the bastards”, that is, coming down hard on the perpetrators (Penal). On the other hand, some Children’s Court Magistrates, who are bound professionally to the Penal ideology, may personally favour the Humanistic.

The example also serves to illustrate the importance of those who work in child welfare/protection fully understanding how a particular response to a given situation is constructed by particular ideological positions. This example also shows hegemony in action. For instance, the worker whose instincts are to follow the Humanistic discourse must conform to any or all of the others otherwise he or she will be out of step with the system. If he or she ignored the results of the risk assessment and backed her own judgment, for instance, he or she would be in trouble with his/her superiors. Procedures arise as a result of crises within the system; therefore, they exist to protect the system. By not following procedures, the worker is letting the system down.

The worker does have choices, however, because control is never total – even in Nazi Germany there were attempts at resistance – but it is thorough. The choices he or she has are, first, that he or she could back his or her instincts, which would need considerable courage but probably result in his or her dismissal. The worker could try to change the procedures over time (change from within), which would take fortitude and persistence, and

probably gain him or her a reputation as a troublemaker (not a 'team player'). The worker could choose to conform whilst waiting for a better opportunity outside the system to arise, or he or she could resign him or herself to accepting the authority of the system.

On the other hand, those workers who act according to the aforementioned ideologies because "I have to obey orders", or "These procedures are for everyone's good", or "These people have to be taught a lesson", for instance, ignore the fundamental reality, that – *when stripped of its ideological veils* – what is occurring is an intersubjective exchange between two human beings.

Lifting the ideological veils

The focus of this chapter demonstrates how the work of Jürgen Habermas can be used to expose distorted communication practices based on ideological discourses. Habermas offers the beginnings of an analysis of systematically ideological distortions of communication – in terms of power and organization. He provides us, also, with the practical tasks of exposure, challenge, clarification and illumination of possibilities; he helps us work toward communicative action and self-reflection free from distortions and domination. In ordinary communication, we anticipate certain uncoerced, idealized possibilities of mutual understanding, otherwise we would not presume to be able to argue coherently at all. However these possibilities are often obstructed by in practice by particular historically-structured political and economic conditions in which we live.

Distorted communications, interactions shaped by existing power, are commonplace. This is precisely why Habermas seeks to clarify what communication free from domination, open communicative interaction, presupposes and requires, so that we may have a normative basis for evaluating the situations in which we find ourselves. As Forester

(1993) points out, if communication free from unnecessary distortion were not possible, how could we suppose that a claim that a program is inadequate – or that a community is under served, or that a policy is repressive – could ever be communicated well enough to be understood to be true? Through argument in dialogues concerned with possibilities of action, speakers could put forth proposals, criticize and be criticized, come collectively to construct courses of action justified with reasons subject to public examination. In an ideal speech situation, people could do so without the threat of force. Disagreement might be extensive, but conflicts could still be structured by an underlying agreement to negotiate and argue, and to take generalisable, shared interests into account in order to balance private wants. Schroyer makes the point:

The fundamental idealization made in every act of human speech assumes an ideal of reason which does not exist empirically but which every human assertion anticipates in practice. In every communicative situation in which a consensus is established under coercion or under distorted conditions, we are confronting instances of illusory discourse. This is the contemporary form of the critique of ideology. (Schroyer 1973: 162)

Therefore, the practical critique of systematically distorted communications becomes the basis then for a vision of democratically deliberative planning and policy analysis and the associated practice in the field. Rather than place legitimacy on the needs of the system, Habermas argues that political legitimacy must be rooted in the critical meaning-giving, interpretation and will-formation of human beings; persons acting and interacting, arguing, shaping and reshaping their political and social institutions. Thus, he calls for a continual exposure of unnecessary distortions in communication, for the continual attention to unequal opportunities for debate and argument, for continual criticism of prevailing ideological beliefs and rationalizations.

In practical terms in the case of child protection, a worker would have to see an allegedly abusive parent, first of all, as a fellow human being, not as some object to be managed. Second, he or she would have to engage in dialogue as one human being to another. To do so, the worker would have to be conscious of the ideological and hegemonic pressures which he or she would bring to the situation and which would bear on him or her. Of course, this would take time and resources that, under the present managerial paradigm, would be viewed as inefficient. This would lead to a clash of system imperatives with lifeworld imperatives. For the situation to be resolved in a discursively ethical manner, it would necessitate a revolutionary paradigm change in the system.

Conclusion

This chapter has argued that, if we are serious about addressing the problem of the prevention of child abuse, earnest attention must be given to issues of ideology and systematically distorted communication. It is not adequate to simply assume the problem is like a disease, a crime, or a result of human failing that can be remedied by the application of strategic and instrumental actions. It is important to recognise that issues of ideology often form the backdrop to the individual situations faced by professionals. As such, the issue of power differentials must be acknowledged fully and addressed by those professionals. This requires becoming more aware of the consequences that their intervention has for the families and the influence of ideology on their own choices of intervention. It also places an obligation on the professional to realise that the relationship with the client is one of intersubjectivity, not a relationship between subject and object.

Chapter 7

Systematically Distorted Communication: A Case Study**Introduction**

The essential communicative acts of child protection work do not just happen. They do not grow automatically from natural conditions. They are not biological. They are social actions, working through languages we can speak together. Words and noises don't just come out of our mouths, we speak. We tell, ask, promise, greet or argue. We act. When we speak, we don't just make noises - we participate in a structured form of social action which is already normative and rule structured (Forester, 1985: 208). It is not up to us to decide whether or not to follow the rules of ordinary language use - if we want someone else to understand what we say, what we promise, warn, call attention to or ask. For instance, if we want to tell someone that an upcoming meeting is likely to be especially important, we can not just make up a special word to get the point across - we must try hard to say what we mean, using the language, and whatever frame of reference we *share*. If we want to be understood when we speak practically, we must follow the rules structuring ordinary language - or what we really mean to say will not be what anyone listening thinks we mean. The rules here are not restrictions (as in you *must* do such and such). Rather, they are there to enable us to understand what each other means.

In speaking, we expect that a set of implicit rules will be followed in everyday life. Ordinarily we try, and we expect others to:

1. speak *comprehensibly*: if we did not presuppose this norm, babble and never listen;
2. speak the *truth* (in the sense of accuracy): if we did not presuppose this norm we would never believe anything we hear. We would never be able to check or test the truth of a story or hypothesis if we generally expected falsehood to pervade communication. Only by presupposing and mutually fostering this norm of 'truth' do we make it possible for each other to tell the difference between reality and ideology, between fact and sheer fantasy. For those who are sceptical about this norm of truth consider the act of lying – the lie only works because the listener is ordinarily bound by the norm to expect truthfulness in communication.
3. speak *legitimately*: we do not expect child protection workers to preach the bible when they visit a parent. We expect that the speaker knows what they are talking about, in context.
4. speak *sincerely*: if we did not presuppose this norm, we would never trust anyone we listened to - or even trust that we could check with someone else to see what was really meant. (Habermas 1979: 2)

These norms of communication are usually taken for granted. They are part of the subtle foundations of common sense. If we violate them, we face puzzlement, disbelief, anger and mistrust. When these norms are broken our shared experience and our social and political world disintegrate.

Communication in practice

When a child protection worker talks to a client about an alleged abusive situation they inevitably communicate more than they intend. They may lapse into bureaucratic language and so confuse and mystify people. They may present information but have no way of knowing what the information *really* means to the client. They may be trying to please, but their professional or formal manner may lead the client to doubt their sincerity. Validity claims are pragmatic guides and standards for practical communication. As they are violated, mutual understanding, trust and cooperation suffers. We can take these norms of ordinary communication and pose them as a practical framework for analysing child protection practice in terms of how the worker communicates with the client - either as a member of the life world or as a representative of the system. In this case:

1. Is the worker's communication *comprehensible*, so that the client can understand what in fact is happening around them or to them?
2. Is the worker's communication *true*? Can the client believe it? Is there evidence (other than allegation) supporting it? What do other accounts of the situation say? Is the client being offered information upon which they can act, or are they being misinformed, however unintentionally?
3. Is the worker's communication *legitimate* from the client's perspective, given her role in the systemic hierarchy, and other influences such class and cultural differences?
4. Is the worker's communication being offered *sincerely* and uttered in good faith, or is the client being manipulated, misled, fooled or misguided?

These questions are important because of the bureaucratic and political pressures operating on workers. Workers may often feel compelled to be less than frank or open than they might wish, but then they should not be surprised when they find their clients suspicious, resentful and angry.

These four questions ask how the four norms of ordinary communication are met or violated in child protection practice, but this is only the beginning. The worker's distortions are certainly no more important or influential than the systematic structural distortions of communication which workers and their clients both face: for instance, the politically selective channelling of information; the unequally distributed ability to engage in the political and planning processes (by the clients with whom the child protection staff work); the professional status (or stigma) of the worker's deeds; conflicting interpretations of cases and their significance; and a maze of bureaucratic rules to navigate.

It is fundamental to Habermas's thesis that everyday speech is based on a background consensus provided through the reciprocal raising and recognition of the four validity claims. As Habermas states:

Practical questions...are posed with a view to the acceptance or rejection of norms, especially norms for action, the claims to validity of which we can support or oppose with reasons. Theories which in their structure can serve the clarification of practical questions are designed to enter into communicative action, Interpretations which can be gained within the framework of such theories...can only be translated into a process of enlightenment which are rich in political consequences, when the institutional preconditions for practical discourse among a general public are fulfilled. (1974: 3)

Institutional preconditions for practical discourse

What, then, are the institutional preconditions for practical discourse? Habermas provides the basis for an answer to this question in his concept of the ideal speech situation (1979),

later reformulated as communicative action (1984, 1987), which lays down a number of criteria intended to ensure that the consensus that emerges from practical discourse serves generalisable, not particular interests. In their zeal to pursue 'the best interests of the child', workers, acting on behalf of the system, may act in the particular interest of the system - foregoing the interests of all participants in the process, be they parents or even children. Thus the general symmetry requirement suggests that the structure of a system of communication is free from both internal and external constraints only when for all participants to a discourse there is equal opportunity to select and employ speech acts. Drawing on Habermas's discussion of universal pragmatics (1979, 1984), we can specify the requirements with regard to each of the speech act categories.

First, all potential participants to a discourse must have the same chance to employ communicative speech acts, that is, to raise questions and provide answers within the discursive context. With reference to the underlying validity claims of speech, this requirement demands, in its simplest form, that participants prove understandable to each other.

Second, all potential participants to the discourse must have equal opportunity to use constative speech acts. This requirement ensures equal opportunity to provide interpretations and explanations, and also to problematise any validity claims, so that in the long run no one view is exempt from consideration or criticism. Thus, the corresponding validity claim of speech requires that all arguments be truthfully grounded.

Third, all potential speakers must have equal chance to use regulative speech acts: they must be equally able to both command and oppose, permit and forbid arguments. Similarly, they must have equal opportunity to make and accept promises and provide and

call for justifications. This requirement guarantees that there are no one-sidedly binding norms in operation. If we refer once again to the underlying validity claim, it is clear that this requirement serves to ensure that interlocutors fully raise appropriate arguments with respect to the surrounding normative context.

Finally, all potential participants must have the same chance to employ representative speech acts, to express attitudes, feelings and intentions. This serves to ensure freedom from internal constraints on discourse by requiring that participants are both honest and sincere with themselves and with others. The underlying validity claim relating to representative speech acts therefore demands that participants are sincere in their arguments.

Habermas maintains that these formal properties, derived from his analysis of the rational foundations of everyday speech, alone can guarantee that a rationally grounded consensus can emerge from practical discourse. Only to the extent that a decision is reached owing to the force of better argument can it be argued that communication has taken place 'free from domination'. Despite its utopian inclination, what is important about what is being suggested with the ideal speech situation is that it can be used as a rational standard against which existing discourses can be judged. In this sense, the model of the ideal speech situation should be used counterfactually as a critical measure of the existence of constraints on communication.

We can now turn to an empirical application of the model, specifically to a consideration of communicative practices derived from the experiences of various actors in the child protection system.

The effects of Systematically Distorted Communication

How can information and communication, always with the potential to be distorted, shape the actions of the people involved? Informed and unmanipulated everyday action depends on the four practical criteria of social interaction mentioned above. In every interaction a speaker may speak more or less comprehensibly, appropriately or legitimately in the context to hand, sincerely, and accurately. In every interaction too, a listener's subsequent action depends on how these same four criteria are satisfied.

Figure 7.1: How communicative distortions are experienced

Types of Distortion	Criteria for mutual understanding not met			
Practical level	Comprehensibility (communicative speech acts)	Accuracy (constative speech acts)	Legitimacy (regulative speech acts)	Sincerity (representative speech acts)
Face to face	Ambiguity, confusion, lack of sense, "What?"	Misrepresentation, "Is this true?"	Meaning taken out of context; rejection of credibility. "Who are you to tell me what to do?"	Deceit, insincerity. "Can I trust you?"
Organisation e.g. child protection service	Use of jargon to exclude public and clients	Information withheld; responsibility obscured; need misrepresented. "I don't believe you!"	Unresponsiveness; assertion of rationalisations; dominance of professionals. "Is this justified?"	Rhetorical reassurances; false expression of concern; hiding motives. "Can I trust you?"
Political-economic structure	Mystification; complexity "What do they mean?"	Policy possibilities obscured, withheld or misrepresented; ideological claims about child abuse and perpetrators	Legitimation enforced by intimidation and threats; rather than by active communication. "Who the hell are you to make these accusations?"	Inconsistency between organisational values and actual practice. "They make the situation worse, not better!"
Action consequence of distortion	Misunderstanding; lack of comprehension	Disbelief	Lack of consent	Distrust
Emotional consequence of distortion	Confusion	Scepticism	Anger	Hurt
Lifeworld consequence of distortion	—————	Loss of meaning	Anomic	Psychopathologies

Forester (1989) has suggested that the socially and politically charged communication distortions that people are faced with everyday may be assessed schematically. Figure 7.1 offers an account of likely responses by child protection clients in the face of systematically distorted communication; that is, when the validity claims of comprehensibility, accuracy (or truth), legitimacy (or appropriateness) and sincerity are not being met. It also connects these lifeworld disturbances with the system by connecting systematically induced disturbances to the processes of symbolic reproduction (Habermas 1987: 143). If sufficiently severe, the strain becomes evident in various kinds of crises in the lifeworld domains of culture, society and personality. Let us take each validity claim in turn.

In the first place, depending on the terms in which issues are discussed, people may find the issues clear or barely comprehensible, relevant or not to their own concerns, framed in ordinary language or in technical or managerialist jargon. Key issues may be disclosed or buried in data, verbiage, computer printouts, or irrelevant details or obfuscation. Depending on what people understand, their *comprehension* will grow or suffer as a result. This may result in misunderstanding and confusion.

Next, depending on the use of evidence or data, people may find issues either misrepresented or reported inaccurately. CPS staff may exaggerate or fabricate risks or opportunities. Politicians and bureaucrats may withdraw or delay funds necessary for an effective service. Systematic misrepresentation is likely to breed cynicism, cripple action and manipulate people's *beliefs* as well. As a consequence, the person may react with scepticism. In system/lifeworld terms, the result of disturbance in the lifeworld arising from distortions of the validity claim of truth leads to a loss of meaning in the realm of cultural reproduction. Culture in this sense refers to a stock of background empirical beliefs that

individuals access as they reach a shared interpretation with others about something in the world. This notion of culture should not be confused with the more common anthropological one with which we are familiar. What Habermas has in mind is the mundane, normally implicit knowledge that makes communication about phenomena in the external world possible. For instance, how we know that thing over there is a table not a chair, is red and not black and other discriminations.

Next, depending on what justifications are used as issues are presented, people may, or may not find their consent manipulated. CPS workers may claim legitimacy because proper procedures have been followed, or because they are acting 'in the public interest'. In each case the claim to legitimacy is an attempt to shape people's action through the mobilisation of their *consent*. When this claim is violated as a result of a clash of values or a lack of acceptance of a worker's legitimacy by a client, a feeling of anger may be manifested. In system/lifeworld terms, disturbances in the lifeworld arising from distortions in the validity claim of legitimacy may result in a state of anomie, creating a crisis within the realm of social reproduction.

Thirdly, depending on the intentions with which issues are presented, people may find their trust deserved or not. People may be misled by false assurances of self-protecting CPS staff, and by technocrats and bureaucrats who claim to be neutral. Thus, *trust*, always precarious, may be honoured or manipulated. When this claim is violated a feeling of hurt may result. Once again, in system/lifeworld terms, disturbances in the lifeworld arising from distortions of the validity claim of sincerity may lead to psychopathologies in the realm of the reproduction of personality.

The communicative character of child protection practice involves much more than how those involved (front-line workers, managers, bureaucrats, various 'experts') write or speak. What they choose to say, or not to say, or *how* they say it is crucial (Behman 1985: 339). If the professionals take the position of 'informed technocrats', so to speak, they can focus attention on technical details but obscure important communicative relationships. If they ignore the effects of bureaucratic language, they will perpetuate the exclusion of those whose cooperation they seek. If they are perceived by the clients as less than straightforward, or as untruthful, they will breed suspicion and hostility and this will poison the possibility of future cooperation. More subtly, if professionals define problems in technical terms or as too complex for non-professional to understand, they may engender passivity, dependency and ignorance. As Galper, speaking from the perspective of social work, implores:

In every interaction in which we engage, we encourage certain responses in others and discourage other responses. Workers who are themselves politicised...will offer suggestions and interpretations from this perspective...[These interpretations] must be offered in the service to the client and not in service of political ends that are somehow separate from the situation and well-being of the client. (1975: 212)

By recognising how CPS practice, which should be understood as a deeply communicative endeavour, may distort or clarify, obscure or reveal to those effected the prospects they face, the application of critical theory is both practical and ethical. It offers pragmatics with vision – to reveal true alternatives, to correct false expectations, to counter cynicism, and to foster enquiry. What follows is an analysis of the experiences of a child protection client in terms of the redemption, or otherwise, of the validity claims of communicative action which have deep roots in the ethics of ordinary discourse we presuppose in daily life. We ordinarily appeal to the possibility of communication free from domination when we make

claims about facts or rightness – that is, we assume we should not in principle need to coerce others to accept our claims.

I now wish to examine the specific experiences of a parent involved in the child protection system which lend support to the view that the communication processes that occur within the child protection system are in fact systematically distorted. To do this I shall analyse the discourses that took place in the experience of this CPS client in terms of the four major requirements of the ideal speech situation, all of which must be met if the consensus that emerges from a practical discourse is to be genuine¹.

Case Study - Barbara

Barbara is a single mother in her early forties living in a relatively large regional town. She has three children, all boys, aged 14, 5, and 3. The father of the 14 year old was killed in a motorbike accident when the child was five years old. Nine years later, having formed another relationship, she fell pregnant with the second son, then two years later with the third son. She had no prior contact with the child protection system until her third child was three years old. At this time she had offered temporary accommodation to a 16 year old homeless boy whom she termed a 'street kid'. To her dismay, she discovered that he was using marijuana. She also did not like his music which she called 'devil music' and soon considered his presence in her home as a bad influence on her children. Her first contact with the child protection system was when at eight o'clock at night the police came and took her and her children to the police station where she was placed in a cell. She claims that "while I was locked up they took my children off me...I was yelling and cursing at the police, asking why they'd locked me up instead of removing the boy that was the problem

around my 13 year old". At four o'clock the following morning, representatives of the child protection service came to her cell where she was given papers, but before she had a chance to read them they were removed by the police. She was released later that morning at nine o'clock with no charges being laid. When she returned home her children were gone. The paperwork had been returned to her upon her release which indicated that she was to attend Court at 10 o'clock that morning. Too distraught to attend Court, she sought solace with a girlfriend. It was not until over a month after this incident that she found out what had happened to her children. At her initiative, having had no contact from child protection, she and her girlfriend went to the local Child Protection Service (CPS) office where she confronted staff. She was advised that the children had been placed in temporary foster care. The reason given to her from the CPS was that they could not contact her as she was not connected to the telephone. A contact visit was arranged where she was able to meet the children, under supervision, at a fish and chip shop. As she explains:

They had to be dropped off at a fish and chip shop. I wasn't to know where the house was. They went and picked my children up and I got to see them, they were all emotional. I was trying not to cry, it was very hard not to, they couldn't understand why they were taken. I couldn't understand why they couldn't come home with me.

She eventually engaged a solicitor who was able to obtain the release of her oldest son. He told her the location of the house where the other children were residing. As is usual in rural communities, this home was familiar to Barbara. Apparently, the son of this family, who himself had left home because of his father's violence, approached her eldest son advising him to get his brothers out of that home as it was a violent environment. As Barbara explains:

Their son approached my son and said I would get, I would get your brothers away from that home because it is very violent. Well when I got my children

back home my son ...both my sons had been hit around the head several times. They weren't going to the toilet unless they, unless...they were pooing their pants, they were doing rude things...they'd been, they'd been obviously sexually assaulted...physically and mentally tortured as I see it. I lay with them for three days. I had to walk with them to the toilet, they were that frightened.

At the time of interview Barbara was allowed to have two hours per week access to her children. However, she was required to attend counselling, participate in a parent education program and to provide weekly urine tests. The degree of surveillance and control is evident in the following explanation:

I'm supervised. They told me that that they would back off but that does not exist (pause) that they would eventually go away but no. And I'm doing that many urines (pause) drug and alcohol urines that it's unbelievable. They've got me running all over the place to counsellors, um, everywhere. I've just got no time to think. I'm confused. I'm at the doctors. They're wanting to know why I'm on tablets (pause) it's because they've got me running around like a billy goat. That's what I feel like.

The Child Protection Service, as a component function of the mega governmental organization the Department of Human Services (DHS), subscribes to the values of that department which are outlined as follows:

- Client focus
We work towards improving the health and wellbeing of our clients and the community.
 - Professional integrity
We treat all people with dignity and respect.
 - Quality
We strive do our best and improve the things we do.
 - Responsibility
We commit to the actions we take to achieve the best possible outcomes for our clients and the community
 - Collaborative relationships
We work together to achieve better results
- (Child Protection Professional Development Unit, 2003: 30)

In view of Barbara's statement above one can see what Habermas would term a 'performative contradiction' between the departmental values and what has happened in her experience. For instance, there is an obvious contradiction in the second item above and in Barbara and her children being forced to meet in a fish and chip shop where their personal troubles and anguish were on full view to the public. Let us now analyse her experience in terms of the four validity claims. Whilst so doing, it would be helpful to keep in mind the above values.

Analysis of validity claims

Comprehension: With this validity claim we ask to what extent was the client equally able to initiate and perpetuate discourse, that is, to raise issues and provide and receive appropriate answers? To what extent was she able to make her arguments understood (Kemp 1985: 191)? The manner in which she was apprehended, and her subsequent treatment at the police station, seems to indicate that her opportunities for equal discourse were extremely limited. Further, lack of opportunity to engage in equal discourse and to be fully informed as to her situation was denied when on one occasion she thought the children were to be returned to her. The children also understood that they would be going home. However, it turns out that she was permitted an access visit in the process of the children moving from one foster care placement to another:

I had no idea the boys were going to be brought back to (town). They didn't let me know. All their stuff was packed up, put in the car. They thought they were coming home with me and when we got to (town) we were all devastated because I was dropped off at the shop crying my eyes out and they were taken to another place.

This explanation indicates that not only was the client not informed but neither were the children. Because she was 'kept in the dark' she had no opportunity to raise issues and to obtain answers. She was not given any opportunity to make her own arguments. As a consequence, she felt confused, the suggested emotional reaction to the violation of the validity claim of comprehension:

So now they're down here and I get to see them twice a week (pause) um, one was for an hour and a half on Tuesday which was really devastating because it wasn't much time to do nothing (pause) it was like they were there one minute and gone the next. They couldn't understand why they couldn't stay home and they kept asking me and I said it's not because of you and it not because of me (pause) I don't know exactly what it is, but you'll be home soon. That's all I could say.

The CPS training manual for child protection practitioners outlines a series of principles and practice domains that govern how they are to work with children and families - one of which is "Practice that values the client voice by promoting clear honest interaction, enabling client choice and involvement." (Child Protection Professional Development Unit 2003: 32). Clearly, at least from the client's perspective, honest interaction enabling choice and involvement did not occur. As the list of CPS practice principles include "sensitive and respectful relationships with families" and "sensitivity to the impact of intervention on children, young people and their families" (Child Protection Professional Development Unit 2003: 32), it was therefore incumbent on the child protection practitioners to ensure that communication between them and the client was conducted with the goal of mutual understanding. The parent and children's reaction of confusion indicates that this was far from achieved.

Truth (in the sense of accuracy): This requirement of the ideal speech situation demands that the client should have had equal opportunity to put forward or criticise

statements, explanations, interpretations and justifications so that in the long run no one view is exempt from consideration and criticism (Kemp 1995: 195). Barbara explains what it is like when she engages in communication with CPS workers:

When they talk to you they don't talk, they tell me, they tell me! They don't talk, they tell me, they run my life at this moment. And I've been told to jump through loops or else I won't get my children back. Whenever they say jump, I jump.

It is obvious from this extract that the parent does not get the opportunity to present her arguments. She feels intimidated and, as a consequence, is reluctant to engage in discourse. As she explains:

I get upset, I storm out and that just makes it worse. That's what happens and that just makes it worse, and then they say I'm (pause) unsettled (pause) or unsettled, or unstable and I can't have my children. That's their excuse and that's just not good enough. They wind you up and make you this way. They do (pause) this is what they do to me every Tuesday morning (pause) she tries (pause) I just don't answer the phone. I will not answer that phone 'cause I know who's on it and I know who's ringing, to say that I can't have access and that's just upset me, and really there is access but they just want me to get so upset that I go off and do something stupid, you know.

We can see from this extract a certain degree of scepticism in that Barbara does not consider the worker to be helpful to her cause. In fact, she believes the worker is detrimental to it. Such scepticism indicates the violation of the validity claim of truth. This, in turn, according to Habermas (1987: 140), results in a loss of meaning because "in such cases, the actors cultural stock of knowledge can no longer cover the need for mutual understanding." The stock of knowledge which is contested here is the notion of child abuse. Whilst the CPS believe she is in some way abusing her children she does not accept this opinion:

I don't understand it, and I don't understand why they want to keep my babies away from me. I have raised my other boy, and he is a very knowledgeable boy, he goes to the best school in Victoria, he is an A grade

student. I've done everything right there so what's gonna not make it right for these two?

The allegations of child abuse are seen by Barbara as unjust. She genuinely believes, or cannot understand what she has done to abuse them. The situation has no meaning for her. As consequence, Barbara refuses to communicate with the worker because for her it is a horrible experience. Violation of this validity claim has denied her the opportunity to put forward or to criticise statements so that her view can be considered.

Legitimacy: The third requirement of the ideal speech situation refers to the need for the client to have the equal chance to command and oppose, permit and forbid arguments (Kemp 1985: 194). It is guided by the notion that the speaker has the legitimacy to speak in the manner in which they do. It is important to note that legitimacy, in the sense of the ideal speech situation, refers to the intersubjective nature of the discourse, that is, two or more human beings communicating with each other - as fellow human beings. Therefore, whilst a CPS worker may have objective legitimacy derived from powers vested in her by the state, for the sake of communicative action where mutual understanding is to occur, legitimacy at the subjective level is paramount.

In Barbara's case the workers with whom she had to deal clearly had no legitimacy, particularly when it came to child rearing:

Some have no children so they don't know what you're going through. Some workers don't even have children so how would they know what it feels like inside for a mother to have her babies taken away and her soul bleed inside?

A consequence of the violation of the validity claim of legitimacy is the withdrawal of consent. The notion that if the hearer does not regard the speaker as having the legitimacy to say the things that are said, no cooperation or agreement needs to be promised. This is reflected in Barbara's words:

Negative, negative, negative all the time. "Why do you do this? Don't, you shouldn't do this!" Everything's negative. And when you do get access, it's not up to them to even open their goddamn trap. You're the mother and you've got to turn around politely and say "Do you mind? I am the mother and I will talk to my children and they will listen to me, not you!" They have no right to step in on access, where they have on mine previously, and I don't agree with that at all."

Barbara's last assertion that "they have *no right* to step in on access" is clearly an indication of the lack of legitimacy she has for the workers. Her anger is a further manifestation of her non acceptance of the workers legitimacy.

As a consequence of the violation of the validity claim of legitimacy, Habermas asserts that, at the level of the lifeworld, such disturbances results in a state of anomie, in the Durkheimian sense described by Besnard (1988: 91) as a situation "characterised by indeterminate goals and unlimited aspiration, the disorientation or vertigo created by confrontation with an excessive widening of the horizons of the possible." In Barbara's case, the possibility of having her children returned seemed to get more and more remote. The horizons were forever widening. Habermas explains that in the realm of social integration the "coordination of actions and *stabilization of group identities* are measured by the *solidarity* among members" (1987: 140, original emphases). In the case of disturbance in social integration, manifested in anomie, "actors can no longer cover the need for coordination that arises with new situations from the inventory of legitimate orders. Legitimately regulated social memberships are no longer sufficient and the resource 'social solidarity' becomes scarce" (1987: 141). This lack of 'social solidarity' is starkly illustrated in the following words from Barbara in response to a question as to how it feels to have CPS involved in her life:

It makes me feel like there's got to be something wrong with me. What's wrong with me? I've brought up one son for 14 years, A grade student. Well

what's wrong with me? But I think it's just called picking on people each time when they haven't got a person to pick on. I reckon they just randomly select the person and pick the shit out of them and take their children.

Barbara's alienation is obvious. She has lost faith in the system's willingness to allow her to command, oppose, permit or forbid arguments.

Sincerity: The final requirement of the ideal speech situation relates to the ability of participants to discourse to express themselves sincerely and to have equal opportunity to represent fully their attitudes and opinions on particular issues. All speakers must be free from both internal and external constraints on their arguments (Kemp 1985: 192). The violation of this validity claim results in distrust of the speaker, feelings of hurt. Barbara's words illustrate her hurt and distrust of CPS workers:

We don't call them ones that want to help families. They destroy families. They don't want them to get back together. Oh, if you want anything, or you need anything, just ring us, we'll help. We'll help. We're there to help you. What a load of shit, what a load of shit that is! They just bring you down. They fuckin' write one little thing bad against you, they will. They're not there to make families better; they're there to make 'em worse.

In the realm of the lifeworld, according to Habermas, disturbances in the lifeworld activity of socialisation result in psychopathologies. The effective operation of socialisation "sees to it that *individual life histories are in harmony with collective forms of life*" (1987: 141). On the other hand, in disturbances of the socialisation process, actor's competencies do not "suffice to maintain the intersubjectivity of commonly defined action situations" (1987: 141). Violations of this validity claim have led Barbara to feel:

...like my rights have been taken away. I've been stripped as mother. I feel as if I've been stripped as a mother, and I've been a mother for 14 years and a bloody good one at that, and I feel I have no rights. It feels like they've got me in a situation where I'm not a mother at all and I'm starting to believe them. That I'm not good enough.

Clearly, Barbara believes that she is losing the ability to engage in a "commonly defined action" e.g. that of being a mother.

The violation of the claim of sincerity has prevented Barbara from having equal opportunity to represent her attitude and opinions. On the other hand, by being in contravention of their practice principles and values, the CPS workers have acted insincerely. The CPS practice guide stresses that "A key part of building effective working relationships with families is the initial strategies we use to engage them in a partnership approach to resolving problems and improving parenting" (Child Protection Professional Development Unit 2003: 128). It is obvious from the narratives of Barbara's experienced such a goal was not realised.

Conclusion

The communication processes that occurred throughout Barbara's involvement with the child protection system when analysed in terms of the ideal speech situation, may be said to have been subject to systematic distortion. Each of the four requirements of distortion-free practical discourse was transgressed in some manner, and as a consequence, it can be argued that any assumed consensus emerging from decisions made in her case would be false, reflecting power imbalances and inequalities. If any consensus emerged it would have been an apparent, not a true one; legitimacy for any decisions was achieved not through the force of the better argument but through the systemic distortions of communication and those interests that prevailed were not generalisable interests but those of the system.

It may be argued that the use of the ideal speech situation as a critical standard in cases where systemic imperatives prevail is an idealistic and impossibly demanding

yardstick. I have attempted to demonstrate, however, that the ideal speech situation is not idealistic but is grounded in the criteria of openness, impartiality, and rationality that gained importance during the development of the public sphere (Habermas 1992) and formally grounded in Habermas (1984) analysis of the rational foundations of everyday speech. The requirements of a truly rational consensus are therefore not merely utopian and arbitrary but follow from historical precedent and from the notion that only with the promise of attaining an underlying rational consensus can practical discourse and everyday speech continue to take place successfully.

¹ The quotes from the child protection service client in this chapter are derived from research interviews I conducted for my Honours dissertation. In all, nineteen interviews were conducted and were not meant to be regarded as a representative sample but as case studies. Although each person's circumstances were different, they all experienced communicative distortions of the four validity claims in one form or another. While this client has been chosen to illustrate how communication is systematically distorted, any of the others would have been equally as useful. Names have been replaced with pseudonyms and locations have not been identified so as to protect anonymity.

Chapter 8

Lifeworld Colonisation: Child Protection Risk Assessment Process**Introduction**

This chapter will discuss the child protection risk assessment process as a feature of the colonisation of the child protection lifeworld by the system. Whereas the discussion of the previous chapter focussed on the effects of systematically distorted communication from the perspective of the lifeworld, this chapter will discuss how organisational imperatives contribute to communication distortions from a system perspective.

In *The Theory of Communicative Action* (1987) Habermas considers the strengths and weaknesses of systems theory and theories of social action. He both, criticises and arrives, through a reconstruction of earlier social theories, at a 'two level' social theory which explores the tensions and interconnections between system and lifeworld as two faces of the social world of modernity.

Seen from a *systems perspective*, modern society encompasses organisational and institutional structures – in particular, their functioning as oriented towards the attainment of particular goals. Systems operate through "rational-purposive action" (Habermas 1987: 191). That is, instrumental, means-end action oriented towards success. They operate through definition of goals, definition of the criteria against which progress towards achieving the goals can be measured, the setting of targets for what will count as success (maximisation of outcomes in relation to goals), and the monitoring of progress towards

goals to evaluate and improve system efficiency defined in terms of ratio of inputs to outcomes achieved. Since being circumscribed by system structures and processes, and oriented towards achieving outcomes defined in terms of system goals, the central concerns are with system functioning; hence, what is characteristically employed is a form of reason which can be described as *functional rationality*.

As I explained in a more thorough exposition in chapter four, Habermas's thesis of the uncoupling of system and lifeworld refers to the development of relative autonomy in systems regulated by the distinctive steering media of money and administrative power. A principle line of argument in *The Theory of Communicative action* (1987) is that modern societies are characterised by such an elaborate pattern of differentiation that it is barely possible to secure collective social anchoring in a shared culture, a shared social order and shared social identity (Habermas 1987: 145). The burden of maintaining such societies against fragmentation and dissolution has been transferred from individuals and small face-to-face social groups to open social systems which provide coordination.

What is distinctive about late modernity, in Habermas's view, is that the steering media characteristic of the economic and politico-legal systems have begun to operate relatively autonomously, on their own terms. This relatively autonomous functioning of systems in societies characterised by advanced differentiation involves an uncoupling' of system and lifeworld in the sense that systems appear to the people who inhabit them to be 'objects' (reified), as if they functioned according to their own rules and procedures in a disinterested manner, indifferent to the unique personalities and interests of the individuals inhabiting them, and thus, in a manner which appears to be indifferent to the dynamics of

cultural reproduction, social integration and socialisation necessary for the development and reproduction of lifeworlds.

In societies characterised by advance differentiation and the relative autonomy of economic and politico-legal systems, he argues, individuals and groups increasingly define themselves and their aspirations in system terms. Consequently, the imperatives of the economic and politico-legal systems dislodge the internal communicative action which underpins the formation and reproduction of lifeworlds, providing in its place an external framework of language, understandings, values and norms based on systems and their functions. Under such circumstances, the symbolic reproduction processes of the lifeworld (cultural reproduction, social integration and socialisation) become saturated with a discourse of roles, functions and functionality, reshaping individual and collective self-understandings, relationships and practices.

In short, the economic and politico-legal systems have become insensitive to the imperatives of mutual understanding on which the solidarity and legitimacy of social order depends. Virtually unknown to them, individuals permit money and power instead of communicative reason and shared insight to guide their thought and conduct. The corrupting influence of economic factors on democratic processes of collective will-formation, the full-blown instrumentalisation/commercialisation of the body, the blending together of news and entertainment until they become indistinguishable, the transformation of students into consumers and of teachers into producers, child protection clients into customers, and the decline in civic participation and social awareness: all exemplify what Habermas has in mind. The lifeworld shrinks. The system expands. We exchange reason for a more fungible exchange value and, in the process, treat each other and ourselves as

means and not ends. This environment gives rise to depersonalised forms of bureaucratic communication exemplified by the risk assessment process in the field of child protection.

Jamrozik (2001) offers an account of the process by which this occurs. The process is outlined in Figure 8.1. Initially, the social construction of a particular social problem has its genesis in the political/moral sphere. In the case of child protection, it arises from media induced moral panics usually following the death of a child at the hands of some 'evil' perpetrator. This prompts action in the areas of structural change, specific legislation, and allocation of resources. In Victoria this has been achieved by attempting to recruit many more front-line child protection workers - by broadening the qualifications necessary of eligibility - and by a review of the Children and Young Persons Act (1989) and a revised management structure.

From the political/moral sphere the issue shifts to the administrative sphere where it becomes a technical problem where "decisions based on technical knowledge and expertise [are] reinforced by administrative and professional interests" (Jamrozik 2001:55). In the case of child protection, this comes in the form of a structured risk assessment process. From there it is a matter of converting the issue into a personal problem of the child and parent

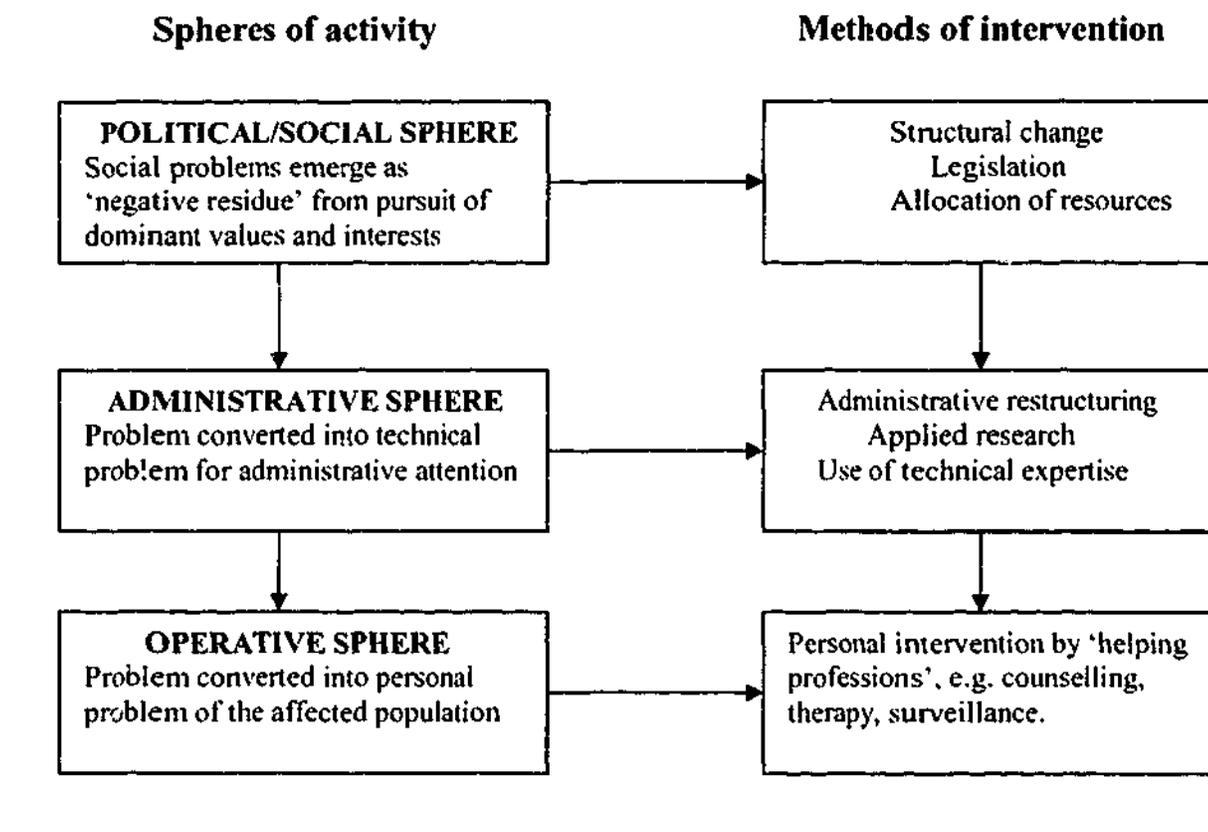
In this conversion process, the political and social nature of the issue disappears, and the issue is 'treated' as a problem of personal pathology of the recipient of attention. The structure of power and resource allocation remains undisturbed and is validated by the demonstration of 'helping the unfortunate' (Jamrozik 2001: 56).

Here one can see the manifestation of Habermas's notion of the system imperatives of power and money. By converting a political/moral problem into a personal problem the

representatives of dominant values and interests demonstrate the power to control the agenda in relation to child protection.

Likewise, as they have the financial resources at their disposal they can direct those resources to meet their own interests. By adopting technical instruments such as risk

Figure 8.1: Methods of implementation of social policy



(Source: Jamrozik 2001: 56)

assessment procedures, management "reduces the decision options of front line workers, defines the boundaries of their work, minimises discretion, and provides a basis for monitoring [their] behaviour" (Jones and May 1992: 227).

Risk Assessment in child protection

The issue is no longer one of taking the *right* decision in a child protection case but of taking a *defensible* decision (Dingwall, Eekelaar and Murray 1995: 251).

In child protection, the preoccupation with risk has taken on a particular form. Parton et al. (1997) outline a number of critical dimensions to this expression of risk in contemporary child protection. First, risk has become a major preoccupation for child protection agencies both in policy development and in practical decision making. Second, risk has been embedded within a socio-legal discourse that emphasises investigation and the acquisition of forensic evidence. Third, agencies are now directed to separate high risk from low risk cases and to respond to the former through a variety of case management systems. Finally, there is an assumption that risk can be predicted and therefore managed to prevent loss or damage occurring.

Child protection services in Victoria are under both internal and external pressures. The removal of children, who have been abused, for a variety of social, political, historical and economic reasons, has increasingly become, in the eyes of many, a less attractive option. At the same time, benefits of universal services for infants, children and their families have increasingly been questioned, at a time when all services appear to be regarded as a cost rather than investment (reflecting the system imperative of money) according to neo-liberal economic ideology. Simultaneously, the introduction of mandatory reporting of suspected child abuse has led to a large jump in reports to child protection services in Victoria (Saunders and Goddard 1998).

Increasingly, child protection services, not only in Victoria, but also in many parts of the world faced with similar problems, are adopting structured risk assessment procedures. While on the surface the implementation of these instruments may appear attractive - promising, as some claim, better practice, more thorough investigations and more consistent standards, Saunders and Goddard (1998) suggest that there are a number of unanswered questions as to the implications for children consequent to the adoption of such procedures:

1. Who (or what) is 'at risk', and from what, and who (or what) is anticipated to benefit, from the introduction of structured risk assessment procedures: the children or the organization that employs inexperienced workers and fails to acknowledge and address their personal and professional needs?
2. What consideration is given to the likely impact on children of decisions made by inexperienced, generically educated, unsupported and poorly supervised workers who may be given a false sense of security by standardised procedures and who are limited in their investigations by inadequate resources and service provision?
3. How concerned about children are systems that encourage the introduction of yet to be validated risk assessment instruments in response to an increasing public and professional awareness of the reality of child maltreatment and a subsequent increase in the reporting of their concerns?
4. What priority is given to what a child says, thinks or feels in systems where insufficient resources are made available to address the needs of all children and families in need, or even to provide essential services to all abused children? Should scarce resources, of unknown effectiveness, be prioritised only for parents who are deemed, by doubtful methods, to be at 'high risk' of reabuse?
5. Is one purpose of these instruments of assessment to ration services? If so, will they not promote further abuse by the system of vulnerable children in need of protection and care?
6. Given that the utilisation of risk assessment instruments may further shift the focus of attention from what has happened to a child to attempting to predict what may happen to a child, what are the likely consequences for abused children? (Saunders and Goddard 1998: 2-3, original emphases)

Risk assessment instruments, it is suggested, while ostensibly benevolent in their intent, may however be abusive in their impact on the plight of children and families in need and on the workers whom they are supposed to assist. How might we evaluate such practices? As Weber (1968) observed, instrumental reason, on which the risk assessment

process is based, is necessary in a modern capitalist society. It synthesises and rationalises problem solving and without it society would collapse. However, there are negative consequences arising from its utilisation in child protection. The emphasis on classification, processing and surface –oriented practice has taken away from ‘understanding’, ‘meaning’, ‘discretion’, ‘reason’ and ‘reflection’. By focussing on the former attributes only, risk assessment has become formulaic and mechanical: in effect, the ‘colonisation’ (Habermas 1987) of the lifeworld of child protection by the system.

An epistemology of practice

There has been a long-standing tendency in the human service literature to use certain key concepts to describe the world and particularly human action (Bessant 2003). These rely on unhelpful binary oppositions which include for example:

- A distinction between ‘theory’ and ‘practice’, which leads to arguments about difficulty in integrating theory and practice;
- Claims that skills (i.e. an ability to apply appropriate ideas or the ‘right’ values) are the same as competencies (i.e. the ability to cut hair, or operate a chainsaw);
- A distinction between ‘objective’ and ‘subjective’ knowledge that privileges ‘objective’ methodologies used in positivist science. This binary opposition also rests on and informs the perceived divide between ‘facts’ and ‘values’.

These binary oppositions are obstructive because they encourage a view based on a taken-for-granted ‘natural attitude’. In other words, they reveal the world to us in a peculiar way while the binaries and their implications remain concealed. These conceptual binaries obstruct clear thinking about practice because they misrepresent the character of human

action by separating, for example, thinking from action, theory from practice, by confusing values with competencies and skills and by encouraging the objectivist-subjectivist dualism.

Houston and Griffiths (2000) argue that risk practices in child protection are shaped by a prevailing objectivist paradigm. There are a number of epistemological and ontological assumptions that underpin the objectivist paradigm. These are:

- Determinism i.e. the belief that behaviour is determined by external (societal) and internal (constitutional) constraints;
- Realism i.e. the view that social phenomena have an existence beyond the lives of the individuals which make them up; and
- Positivism i.e. the application of the empirical-analytical sciences to the study of the person and society.

The objectivist paradigm relates to the objective world ('the' world) in Habermas's (1984: 100) 'three worlds' concept of objective, social and subjective worlds as outlined in an earlier six. The objective world is informed by the technical interest explained by Habermas in *Knowledge and Human Interest* (1971). The other types of knowledge and interest are the practical interest informed by everyday practical understanding and the emancipatory interest informed by critical self-reflection.

Habermas was later to attach various action types to each of these forms of knowledge, interests and worlds – in the case of the technical, objective worlds, it is action based on instrumental rationality; with regard to the practical, social world it could be either strategic or communicative action; with regard to the personal, subjective world it is communicative action. One of the consequences of these analyses was a critique of

traditional positivism, pointing out that due to the numerous prohibitions positivists insist on when developing their programs for credible knowledge, positivism itself cannot provide deep insights into the conditions that make knowledge possible (Habermas 1971). Nor does the positivist approach reveal what *interests* operate and how power is exercised in knowledge making.

In developing his theory of knowledge constitutive interests, Habermas offered an analysis of human action and interaction conceived as an epistemological practice. This analytic framework is helpful for an inquiry into the impact of risk-based instruments/knowledge on human service practice. Habermas's work raises an important issue that helps answer the question about risk instruments/knowledge and contemporary child protection practice. In identifying the 'human interests' that inform knowledge, Habermas asks us to consider what *we are trying to achieve when we act*. Is our action oriented towards domination and control, or a practical understanding, or certain ethical outcomes and values? Is it directed towards achieving some form of freedom or emancipation?

The assumptions and politics central to risk-based practices correspond with Habermas's 'technical interest/objective world' in prediction and domination. This revolves around a particular attention to certain facts and makes sense of the things that people notice according to their instruments and particular framing of the problem that precludes debates involving conflicting problem-setting activities.

Habermas's first domain (the technical) has two features that are valuable for understanding risk-based practice. First, it is informed by an interest in management (Bessant 2003). This is important for government departments and the professionals whose

officially declared objective is to manage according to system imperatives. Second, it relies on a model of empirico-analytical science that presupposes but never achieves value freedom or ethical neutrality. This is significant because it permits, if not promotes, duplicity under the guise of science. In other words, an epistemology is used that is informed by values and prejudices about specific populations groups and issues, but which presents itself as scientific and value free.

Risk-based practice is appealing to many workers and bureaucrats because it promises a degree of certainty. It achieves this sense of confidence by offering the illusion of objectivity, implemented by means of allegedly unambiguous and precise 'diagnostic tools'. These are presented as neutral - applicable in standardised and systemic ways to produce rational and accurate predictions of the possibility of future risk of abuse. As the child protection workers training manual says, "We need to be able to assess the risk to children accurately and with confidence" (Child Protection Professional Development Unit 2003: 148). This is also attractive because it relieves practitioners of what is experienced as a burden of the responsibility that sometimes comes with exercising professional judgement. A risk-based epistemology of practice sits comfortably with those whose 'interest' is oriented towards management or control and who prefer a sense of certainty.

On a practical day-to-day level, it is difficult not to engage in risk-based practice because it is currently so much part of human service workplace culture (Houston and Griffith 2000; Bessant 2003). For practitioners and policy makers oriented towards Habermas's first human interest, the prospect of administering risk instruments promises to make their job easier and to reduce workloads. After all, risk technologies entail an uncomplicated process of questions and answers. From this, practitioners can identify both

the types and degree of 'risk' the child faces, which in turn registers the response or type of intervention required. Confidence in the capacity of risk instruments and knowledge to deliver accurate assessments, plus their promise of greater efficiency, is very attractive in workplace contexts characterised by funding shortfalls, chronic staff turnovers, high caseloads, and long waiting lists. Risk instruments mean workers can diagnose the degree and type of risk without even having to meet the client. As recent reports on the state of Victoria's failing child protection system reveal, there is "an alarming trend of workers doing risk assessment of children by telephone only" (*The Age*, August 25 2003: 1).

Such an epistemology of practice might be fine if we were working with inanimate objects, but people are different and those involved in the child protection system as clients cannot be 'reviewed' in that way. Risk instruments, procedures and practices generally are misapplied in human services. An epistemology informed by the science of risk produces workplaces dominated by requirements to act in accordance with set rules and procedures. This promotes a rule-obedient work culture and undermines the confidence of many practitioners to use their own knowledge, skill-base and good judgements that are informed by the peculiarities of the case. The dominant risk assessment practice now in place with its reliance on instrumental rationality also deters practitioners from asking the question Habermas posed: what type of human interest informs their action? Is it concerned with identifying predictors and causal explanations interested in management and control? If it is, does this allow for any other kind of interest? The dominance of risk-based practice inhibits and prevents an alternative epistemology of practice. More specifically, it hinders the development of more hermeneutic understanding of client's experiences and reflective modes of practice. This is because risk assessment technologies require workers to simply

follow procedures that draw on the thoughts, assessments and judgements made in a time and place far removed from the immediate reality in which workers find themselves. An epistemology of practice informed by the science of risk actively encourages workers not to think too seriously about the interests they are attempting to realise or the actions they are engaged in, but rather, to read and assess problems courtesy of a securely placed empirico-positivist lens. Above all else, this is problematic because the perspectives offered typically have little if any bearing on the lived experiences of clients and the situation in which the practitioners find themselves (Bessant, Hil and Watts 2003).

Systems of risk assessment are oriented almost entirely to minimising risk of extreme failure, and never promoting creative and acceptable risk taking in pursuit of good outcomes for children. Equally, the systems of professional accountability which have developed in tandem with the risk-averse culture, are almost exclusively oriented to locating responsibility and blame and accounting for error and failure, and almost never to encouraging responsibility (in the sense of autonomy) or acknowledging the inevitability of failure. In short, these methodologies are ill adapted to the complexity, uncertainty and indeterminacy of the functions to which they are applied.

This state of affairs stems from the misapplication of models of risk management and accountability from areas of professional life such as accountancy, car manufacture, or pollution control to areas of life in which risk has a completely different character. Risk is not the same in something like child protection work, because human actors rather than smoke particles, gear boxes or expenditure flows are the sole objects of concern. Risks have to be conceptualised completely differently; they are a function of the interaction between those creating risks and those trying to prevent them, and not of control, management or

elimination. Equally, they depend absolutely upon the exercise of judgement and interpretation in continually changing circumstances.

Child protection interventions contain both explicit and implicit risks. The most explicit risk is the weighing up of the risks of intervention (splitting up families, trauma to children) with the risk of non-intervention (continued abuse). Implicit risks include the risks to third parties (siblings, extended family). Sometimes secondary risks such as these are known, and can be weighed up at the time decisions are made, but others are much more subtle, and cannot be calculated. There are also risks to the practitioner, of which the main one is the possibility of getting it wrong either by intervening too coercively, or failing to intervene decisively enough - the 'damned if we do and damned if we don't' syndrome.

However, this well-known dilemma is not the only one for practitioners. Other perceived professional risks include stepping over professional or organisational boundaries. By intervening in cases where risk is low, workers are potentially preventing other more serious cases from being dealt with and can be seen as misusing scarce resources. The irony of the situation is that by not intervening they allow more serious problems to develop which will cause more difficulty later. This is an irony of which workers are often aware, but the system imperative is much too powerful for them to do anything about it. This risk is increased when intervention requires some form of power or coercion, for example where the parent is hostile to intervention.

One reason child protection is so risky to the workers is its politicisation, and consequently, the media attention which it attracts. Another is the intense emotion which child abuse engenders in us all, including child protection professionals. Child abuse,

especially sexual abuse and child homicide, touches aspects of our personalities which we would rather leave alone. For most people, professional and public alike, it is relatively easy to imagine lashing out at a persistently demanding, whining or defiant child when under stress. Torturing a child, or deliberately targeting a child for sexual abuse, is in a different category altogether, both morally and emotionally. The intense emotions raised by such acts drives us into anger or denial. Workers need to deal with these emotions because if they are not acknowledged and dealt with, professional judgement can be severely affected.

Workers find it relatively easy to deal with the more obvious risks, even when these are high. Severe bruising, disclosure of sexual abuse or severe neglect are relatively straightforward for workers to respond to because the expectation on them is clear. Where the risks are implicit rather than explicit, the factors more difficult to weigh up, or the case is complex and there is no clear 'binary' choice to be made about risk, workers feel much less confident and tend to fall back into denial, optimism, a checklist mentality or the use of other unhelpful defensive risk avoidance techniques (Dingwell et al. 1995).

The case management approach to child protection tends to manage risk by diagnosis rather than responding to risk by building up relationships and therefore basing intervention on trust and authority. However, the way the system operates pushes workers away from personal relationships with clients towards more formalised relationships based on procedures techniques.

From the client's perspective, risk-based practice is often experienced as frustrating, disturbing and computer driven (Ziguras, Dufty and Considine 2003: 23). An epistemology of practice informed by the science of risk produces work habits and cultures adverse to

developing worker/client relationships that connect to emotions and which draw on the worker's repertoire of insights, models and capacities (Schön 1987).

Research conducted in Britain (Dingwall et al. 1983; Parton et al. 1997) has shown how child protection workers adopt a normative framework when considering referred concerns about children; that is, they approach investigations with preconceived views of 'normal' parenting and then use these views to make judgements about actual parenting. So, it appears that objectivist approaches to risk, which are enforced through policy, procedure and management directive, are combined with practitioner's own taken-for-granted ideological assumptions about how concerns should be assessed. What is of concern here is that many of these moral assessments are discriminatory because they are founded on narrow assumptions about families, of mothers in particular (Parton et al. 1997). As a consequence, objectivism, together with ideology-based moral reasoning, has led to numerous anomalies in practice (Houston and Griffiths 2000). As an alternative approach to objectivist risk-based assessment and ideological moral reasoning, an approach focussing on parents and children as subjects could be considered.

Re-instating the subject

In reinstating the subject, we are not only paying attention to the wishes and feelings of the client (important as this activity is), but we are also acknowledging the primacy of human agency; that is, the meanings we attribute to people and objects around us shape not only our thinking about them, but also our actions towards them (Blumer 1986). Thomas and Thomas (1928: 572) reflect this idea in their famous quote: "if men (*sic*) define situations as real, they are real in their consequences."

Mead (1962) developed this idea further by arguing that meaning is a product of the social act: it is the adjustive response of one person to another person's initial gesture which gives that gesture its meaning. If we give this idea credence, then it becomes necessary to understand the meaning-action interconnection in situations where there are concerns about children. In the context of alleged physical abuse, for example, it becomes important to understand the meaning of a child's demanding behaviour for a stressed parent. It will also be important to understand an anxious mother's perception of the initial investigation, because these perceptions will determine her subsequent actions

In applying this concept to everyday practice, the worker moves from an understanding of causation (what caused the abuse) to an appreciation of clients' meaningful accounts about factors that have contributed to perceived difficulties. So, instead of collating risk factors, which is a requirement of objectivist risk assessment frameworks, e.g. Brearly (1982), upon which the Victorian Risk Framework (VRF) is based (Child Protection Professional Development Unit 2003: 148), we need to divert attention to how family members account for and make sense of their particular characteristics of life events. Risk assessment frameworks fail to do this and instead encourage workers to 'objectify' information (i.e. to present personal experience as objective fact). Thus, the use of such frameworks decentres the subject of investigation, making partnership problematical and resistance to intervention more likely.

Therefore, the relationship between the worker and the client is of utmost importance. Earlier, I argued that child protection workers bring a set of ideologically based moral assumptions about allegedly abusive parents when assessing allegations of child abuse. They also present as an agent of officialdom to parents, many of whom are socially

marginalised. The issue of power differentials must therefore be acknowledged fully and can be appraised by CPS workers becoming more attuned (and committed) to the principle of 'reflexivity' (Schön 1987) in their work. Payne (1998: 123) defines reflexivity as "the circular process by which our thoughts affect our actions, which affect the situation we are dealing with and therefore offer feedback through the reactions of others involved, which can effect how we understand and think about a situation". Reflexivity is therefore a circular process which requires the worker to become sensitive to his or her taken-for-granted assumptions and biases and how they effect the client's perspectives. Moreover, it entails an acknowledgement of the socially constructed nature of risk: that some risks to children receive a focus but others do not - for example, the removal of a child can be just as traumatic as any alleged abuse would have been, yet the focus was on 'protection' - no matter how damaging that, in itself, might be. To concentrate on perceived parenting failure suppresses a focus on other aspects of risk to children. In objectivist approaches, there is no need for reflexivity because the worker is perceived as an expert; however in practice based on subjectivist assumptions such as voluntarism i.e. behaviour is viewed as self-determining, intentional and creative; nominalism i.e. reality is socially constructed; and, interpretivism i.e. an anti-positivist stance which endorses 'meaning' as the key to understanding behaviour (Houston and Griffiths 2000: 5), there is an emphasis on mutuality - on a two-way exchange of perceptions between the worker and client.

Practice and reflection in action

Risk-based practice discourages what Donald Schön (1987) has referred to as reflection-in-action (recognition of your 'interests' and thinking about what you are doing while acting).

This entails judgements being made in the context of particular cases that are shaped by the worker's relationship with the client as well as their individual conscience, professional knowledge and skill base. A risk-based epistemology of practice, reliant on static instruments, can only give thin and not necessarily accurate descriptions of deep and richly textured lifeworlds of clients that also constantly change.

Schön's notion of reflection-in-action highlights how the science of risk-informed practice precludes workers from interpreting the world and drawing on their own values, and knowledge of the specific situation. The idea of the 'reflective practitioner' helps reveal how risk practice prevents workers from framing problems themselves, and inhibits a reliance on their own repertoire of experiences and professional knowledge.

The worker's engagement in problem-setting activities is significant because how the situation is framed or how the individual or population groups are identified prescribes the response. In other words, if the 'tools' or technologies specify a particular framing of the problem by using the language and metaphors of risk, then the 'reality' will be one in which the remedial action is also prescribed – in terms of risk. In this way, the practitioners ability to exercise judgement and discretion at problem-setting or diagnostic stages is restricted to decisions about the extent to which the client fits specified categories or the degree to which they are at risk to others. There is little if any critical space to present alternative ways of understanding the 'problem'. For instance, the child protection workers training manual directs the worker to undertake a four-step process – information gathering, analysis dimensions, risk judgement and, finally, actual risk (Child Protection Professional Development Unit 2003: 149). This rigid, structured process does not allow for individual creativity or reflection by which alternative insights could be produced.

Conclusion

Schön's account of the reflective practitioner is a reminder of the value of thinking deliberately about what we do while we act, the value of reflection and being able to continually adjust or correct ourselves in the light of our experiences. This is not to suggest that child protection practice be devoid of guidelines and regulations, but simply that there be greater awareness of the interests that inform practice and the value of worker/client relationships. Schön's account of the reflective practitioner offers an alternative approach to the current risk based approach. This, combined with consideration of Habermas's knowledge constitutive interests, communicative action and discourse ethics, raises questions about the value of an epistemology of practice informed by the science of risk. Yet, implementing reflective practice requires a major reform of child protection systemic cultures and practice. Amongst other things, this entails an 'interest' in treating clients with respect and an understanding of who they are. If this type of human interest is to be pursued to promote a more hermeneutic epistemology of practice, then a more interpretative and less instrumental, perfunctionary approach is needed. This is critical for developing trust and relationships that are the basis of good practice. Good practice in child protection requires understanding of the client's subjectivity, rather than an overriding will to classify, categorise and measure conduct according to risk factors for the purpose of management.

A relationship with client's opportunities and an interest in having dialogue rests on a view that clients are not 'customers' (Bessant 2003: 37) as they are currently officially named, but are citizens and fellow human beings. Fellow humans who can and ought to be participants or partners in relationships where trust and the ability to talk, *listen* and

negotiate with a view to reaching mutual understanding where the force of argument, rather than the argument of force, prevails.

Chapter 9

Self-Reflection in Everyday Child Protection Practice**Introduction**

Critical social theory (CST), of whom Habermas is regarded as the leading contemporary proponent, has as its main goal the improvement of the human condition. One important assumption of CST is that people can change their world, and more specifically, that organisational actors and/or researchers have the capability to transform organisational situations. Indeed, whereas traditional social theorists contribute to the preservation of the status quo, critical social theorists seek to emancipate people; they are concerned with finding alternatives to existing social conditions which advantage a few at the expense of many unwarranted assumptions as well as with challenging taken-for-granted conditions. This chapter will offer a means by which organisational actors may attempt to transform organisational situations, in this case the everyday practice of child protection, in ways that serve the genuine interests of all, especially children.

The discussion will be based on an elaboration of Habermas's three worlds' concept i.e. the objective, the social and the subjective, previously discussed. Included in that elaboration will be a discussion of Habermas's theory of knowledge and human interests involving the technical, practical and emancipatory interests and how these relate to the three worlds. Then will follow a deeper discussion of the third of these interests – the emancipatory, for that is the crux of any organisational change within the child protection

system. Habermas suggests that emancipation can be achieved by a process of self-reflection. Dewey (1916: 140) identified when an action takes place without reflection, such an action is reduced to a habitual or capricious impulse, with nothing in the experience to connect it to any prior activity of the individual. Dewey (1902: 481) warned of the seductive comfort and danger of routine action without reflection when he stated: "Familiarity breeds contempt, but it also breeds something like affection. We get used to the chains we wear and miss them when removed...because meaningless activities may get agreeable if long enough persisted in." Similarly, Habermas (1971: 310) identified the importance of recognising unjust dominant ideologies that are likely to be uncritically accepted and are embedded in everyday situations and practices. Such unjust ideologies become part of language, social habits and cultural norms and they legitimise certain social structures and practices so that they are accepted as normal (Brookfield 1995: 87).

Three worlds revisited

Earlier, I discussed Habermas's three worlds model of general communication. It was explained that the objective, social and subjective worlds corresponded to three domains of reality - 'the' world of external nature, 'our' world of social relations and 'my' world of internal nature. Also associated with these worlds were relevant communicative validity claims. In the case of the objective world, its associated validity claim was truth or existential reality; in the case of the social world it was appropriateness or legitimacy; and in the case of the subjective world it was sincerity or honesty. Let us now take a closer look at the three 'knowledge-constitutive interests' associated with these three worlds with a special emphasis placed on the emancipatory interest.

Interests

To understand these theoretical proposals for the foundations of human knowledge and action, it is necessary to understand initially what Habermas means by 'interest' and then what a cognitive interest is.

What Habermas means by 'interest' arises out of a reconstruction of the analysis of interest undertaken by his philosophical forebears (Grundy 1987: 8). He proceeds from the premise that the basic orientation of the human species is towards pleasure and that fundamentally what gives us pleasure is the creation of conditions which will enable the species to reproduce itself. For Habermas, the creation of these conditions is grounded in rationality. The most fundamental interest of the human species is therefore, rationality.

Interests in general are fundamental orientations of the human species and pure interests are fundamental, rational orientations (that is, pure in the sense of being grounded in reason). This distinction does not just mean that human beings have a fundamental orientation towards rationality, but rather that the fundamental interest in "the preservation of life is rooted in life organised through knowledge and action" (Habermas 1972: 211). Put simply, even something as basic as the survival of the human species is not a matter of instinct and random behaviours. Rather, it is grounded in knowledge and human action.

However, Habermas goes further than simply proposing that there is a relationship between the fundamental orientations of the species towards preservation of life and knowledge. He asserts that the way in which this orientation works itself out in the life structures of the species will determine what counts as knowledge. That is to say, rationality can be applied in a number of different ways to ensure self-preservation. The manner in which rationality manifests itself will determine what a social group is prepared

to distinguish as knowledge. So, not only do fundamental interests in preservation have cognitive as well as practical implications, but those interests will also constitute knowledge in different ways. Thus, the pure interest in reason expresses itself in the form of three knowledge-constitutive interests. These knowledge-constitutive interests do not merely represent an orientation towards knowledge or rationality on the part of the human species, but rather constitute human knowledge itself.

Habermas identifies three basic types of cognitive interests: technical, practical and emancipatory. These interests constitute the three types of science by which knowledge is generated and organised in our society. These three ways of knowing are empirical-analytic, historical-hermeneutic and critical (Habermas 1971: 308):

The task of the empirical-analytic sciences incorporates a technical cognitive interest; that of the historical-hermeneutic sciences incorporates a practical interest and the approach of critical oriented sciences incorporates the emancipatory cognitive interest.

It is important to remember that the preservation and reproduction of the species knowledge alone is insufficient. Knowledge and action together constitute the life structure of the species. This is an important point, for it means that neither knowledge nor action is sufficient in itself to ensure preservation: both must interact in concert for the welfare of the species. Although Habermas has emphasised the role that those interests play in constructing knowledge, they are also "action-constitutive" interests (Habermas 1971: 211). This becomes important when we consider child protection as a socially constructed function of the life structure of a society. Both knowledge and action as they interact in everyday child protection practice are determined by a particular cognitive interest.

The Technical Interest: The technical interest, like each of the fundamental human interests, is grounded in the need of the species to survive and reproduce both itself and those aspects of human society which are deemed to be of most worth. To achieve this purpose, persons have a basic orientation towards controlling and managing the environment. This orientation is what Habermas calls the technical interest (1971: 309).

Habermas identifies this interest as being congruent with the agenda of the empirical-analytic sciences. The type of knowledge generated by empirical-analytic sciences is grounded in experience and observation, often produced through experimentation. Theories associated with such science "comprise hypothetico-deductive connections of propositions, which permit the deduction of law like hypotheses with empirical content" (1971: 308).

This knowledge comprises more than an infinite number of observations or experiences. It is structured according to a series of hypotheses by which meaning is made of observations and also which have predictive power. Prediction allows us to anticipate what the environment may be like tomorrow based on our experience of what it is like today. It also allows us, potentially, to control our environment based upon that knowledge.

The assertion that prediction means control, however, is one to which there might be objections. What is assumed in such an assertion is that there is a relationship between knowledge and power and between science and technology; that is, that knowledge is power. Habermas is making a stronger claim, however, that there is a possible relationship between prediction and control. For Habermas the fundamental interest which guides empirical-analytic science is an interest in control and the technical exploitability of knowledge.

The technical interest gives rise to a certain form of action. This is instrumental action which is "governed by technical rules based upon technical knowledge" (Habermas 1971: 91). Since empirical-analytic science is concerned with identifying the regularities that exist in the environment, it is then possible to formulate rules for action based on those regularities. Put succinctly, the technical interest is a fundamental interest in controlling the environment through rule following action based upon empirically grounded laws. Just what such an interest means for child protection practice we saw in the previous chapter. There we saw policies and procedures (such as risk assessment) informed by the technical interest.

The Practical Interest: The basic orientation of the technical interest is towards control, but that of practical interest is toward understanding (Habermas 1972: 310). Such understanding is not, however, technical understanding. It is not the sort of understanding which enables rules to be formulated so that the environment can be manipulated and managed. Rather, it is an interest in the environment so that one can interact with it. The practical interest is grounded in the fundamental need of the human species to live in and as part of the world, not to be, as it were, in competition with the environment for survival.

As soon as the move is made into the realm of understanding in order to survive 'along with', one moves into the moral sphere. Even though there is a moral position implicit in the technical interest, it is often obscured by talk about 'objectivity' and 'natural law'. The question motivated by a practical interest becomes not "What can I do?" but "What ought I to do?" To answer this question, an understanding of the meaning of the situation is required. That is why this interest is called the 'practical interest': it is an interest in taking appropriate action within a particular environment.

The production of knowledge through the making of meaning is associated with the historical-hermeneutic sciences. Within the gamut of these sciences fall historical and literary interpretation and the interpretive agenda of such disciplines as sociology and some branches of psychology. Habermas says of these forms of knowledge:

The historical-hermeneutic sciences gain knowledge in a different methodological framework. Here the meaning of the validity of propositions is not constituted in the frame of reference of technical control. The levels of formalised language and objectified experience have not yet been divorced. For theories are not constructed deductively and experience is not organised with regard to success of operations. Access to the facts is provided by the understanding of meaning, not observation. (1972: 309)

Knowledge which is concerned with understanding is not to be judged according to the success of operations arising as a consequence of that knowledge: it is to be judged according to whether the interpreted meaning assisted the process of making judgements about how to act rationally and morally. Such action, however, is not objective action; that is, it is not action upon a person who has been 'objectified'. It is subjective action; that is, it is the action of a subject in the universe acting with another subject. The action which arises as a consequence of this interest is, therefore, 'interaction' which Habermas, defines in the following way:

By interaction...I understand Communicative action, symbolic interaction. *It is governed by binding consensual norms, which define reciprocal expectations of behaviour, and which must be understood and recognized by at least two acting subjects*. (1971: 92 emphasis mine)

Interaction is not action *upon* an environment which has been objectified (that is, regarded as an object); it is action *with* the environment (organic or human), which is regarded as a subject in the interaction. Similarly, the knowledge which guides such action is subjective, not objective. This is what is meant when Habermas says that access to the facts is provided by understanding of meaning, not observation. Although such knowledge

is subjective, this does not mean that it is arbitrary. Confidence in an interpretation depends on agreement with others that such an interpretation is reasonable, hence Habermas's claim above regarding the necessity for agreement between "between at least two acting subjects". Thus, the notion of consensus is an important one with respect to the interpretation of meaning.

The practical interest, therefore, is the interest which generates subjective rather than objective knowledge (that is, knowledge of the world as subject rather than the world as object). Therefore, this interest could be summarised as a fundamental interest in understanding the environment through interaction based on a consensual interpretation of meaning.

The key concepts associated with the practical cognitive interest are understanding and interaction. When we consider the implications of a practical interest for child protection practice, these same concepts are central. Child protection informed by a practical interest is not a means-end practice by which a secure outcome for the child is produced through the action of a worker upon a parent. Instead, it is regarded as a process whereby worker and parent interact to impute meaning to the world.

It follows from the moral imperative associated with the practical interest that child protection practice informed by such an interest will be concerned, not simply with promoting security for a child, but also with promoting appropriate action to obtain such security. Habermas claims that the link between understanding and action is the hermeneutic concept of application (Gadamer 1979: 274). Application is not, however, an optional link between understanding and action (that is, we do not just act as a consequence

of applying understanding gained from one situation to another). Rather, we cannot fully understand any given situation unless we apply it to ourselves:

Hermeneutic knowledge is always mediated through this pre-understanding, which is derived from the interpreter's initial situation. The world of traditional meaning discloses itself to the interpreter only to the extent that his (sic) own world becomes clarified at the same time. The subject of understanding establishes communication between both worlds. He (sic) comprehends the substantive content of tradition by *applying* tradition to himself (sic) and his (sic) situation (Habermas 1972: 309-310).

Application to concrete situations in this sense is a subjective process. So, child protection practice informed by a practical interest does not shun subjectivity but rather acknowledges the centrality of judgement.

The Emancipatory Interest: The emancipatory interest is perhaps the hardest of these conceptual categories to grasp, but it is in the identification of this interest that Habermas has made his most original contribution to critical theory.

Although interests are 'fundamental orientations' of the human species, they can themselves be categorised either as being stimulated by inclination or by principles of reason. In common language we would usually associate interest with inclination. If the claim is then made that human persons are motivated by fundamental interest, this might be interpreted as indicating a belief in the ultimate non-rationality of persons. It is important to realise that interests can be stimulated by principles of reason. Following on from Kant, Habermas views persons as intrinsically or at least potentially, rational beings (Grundy 1987). So, interests which are stimulated by reason are more fundamental than interests which are stimulated by inclination or desire.

Given what amounts to a hierarchy of interests, we may ask "What is it that Habermas sees as the fundamental pure interest?" (that is pure in the sense of being grounded in

reason). It is an interest in emancipation (1972: 205). Emancipation for Habermas means "independence from all that is outside the individual" (Grundy 1987: 16) and is a state of autonomy. Thus, Habermas identifies emancipation with autonomy and personal responsibility. It is only in the act of self-reflection that emancipation is possible: "reason is immediately practical in the form of original self-reflection. By becoming transparent to itself in its self-producing, the ego frees itself from dogmatism" (Habermas 1972: 205). Through self-awareness, the individual can liberate him/herself from dogmatic influences. Although emancipation must ultimately be an individual experience, if it is to have any force, it is not simply an individual matter. Because of the interactive nature of human society, individual freedom can never be separated from the freedom of others. Hence, emancipation is also inextricably linked with notions of justice and, ultimately, equality.

If the fundamental pure interest of persons is in emancipation, one must ask the question "Emancipation from what?" Habermas explains:

Self-reflection is at once intuition and emancipation, comprehension and liberation from dogmatic dependence. The dogmatism that reason undoes both analytically and practically is false consciousness: error and unfree existence in particular. Only the ego that apprehends itself in intellectual intuition as the self-positing subject obtains autonomy. The dogmatist, on the contrary, because he (sic) cannot summon up the force to carry out self-reflection, lives in dispersal as a dependent subject that is not only determined by objects but is itself made into a thing. (1972: 208)

This is a powerful image of the unfree 'objectified' person at the mercy of false consciousness. Juxtaposed with the autonomous subject, heeding the Platonic injunction to "Know thyself!", one might ask "Are not the technical and practical interests capable of fulfilling the human orientation towards autonomy and responsibility?" The answer is "no!" The technical interest will not facilitate an interest in autonomy and responsibility because it is interested in control. An interest in control will certainly facilitate independence for

some, but this is false autonomy, for it is an 'autonomy' which entails regarding fellow human beings and/or the environment as objects. This is the sort of freedom which arises out of the Darwinian axiom of 'survival of the fittest' world view or fundamentalist views that the earth was given to mankind to subdue and rule. The technical interest is one which arises from inclination, not from reason.

The practical interest will not suffice either, although it comes closer to serving the interests of autonomy and responsibility. Through the practical interest the universe is regarded as subject, not object, and there is a potential for freedom through the emphasis on consensual meaning and understanding. The practical interest, however, proves to be inadequate for the promotion of true emancipation precisely because of the possibility for persons to be deceived, even when understandings seem to be arrived at in open discussion and debate. The operation of consensus politics under the Howard Liberal government is an example of the potential for apparent consensual meaning to become a form of dogmatism rather than promoting autonomy. It became clear at the Constitutional Convention convened in 1998 to discuss whether or not Australia should become a republic that it was ultimately the opinions of the powerful in society around which a 'so called' consensus was formed. The resulting 'agreements' had all the more power because they were made in a situation of supposed debate¹. However laudatory may be the objective of consensus arrived at through open debate and deliberation, the suspicion remains that consensus can be used as a form of manipulation. Even when it does not consciously operate as manipulation, there is the possibility of the participants deceiving themselves about the real meaning of the situation. This does not deny the value of consensus, but that consensus can be false when powerful interests are participating in the meaning-making process.

So, neither fundamental orientations towards technical nor practical reasoning will ensure that the even more fundamental interest in autonomy and responsibility will be served. There must be an interest in freeing persons from the coercion of the technical and the possible deceit of the practical. This is the interest in emancipation, the so called emancipatory interest.

When Habermas wrote of the emancipatory interest being a fundamental human interest, he did not make a value judgement based on some view of human nature as something which is 'given' to persons 'ordained'. Rather, he sees emancipation as an evolutionary principle being implicit in the very act of speech which separates humans from other forms of life. Guess summarises Habermas's position:

To be a human agent ...is to participate at least potentially in a speech community ... but no agent can ever be potentially a member of a speech community who cannot recognise the difference between true and false statements in some general way...but what it means for a statement to be true is that it would be one in which all agents would agree if they were to discuss all of human experience in absolutely free and uncoerced circumstances for an indefinite period of time. (1981: 65)

We may say therefore, that one of the basic orientations of persons is towards freedom, and we can know that such is the case because the notion of freedom is fundamental to the act of speech and to the understanding for which speech exists. Interestingly, the concept of freedom is inextricably linked with interests in truth and justice.

So, how does the emancipatory interest translate into action in the real world? The emancipatory interest gives rise to autonomous, responsible action based upon prudent decisions informed by a certain kind of knowledge. The knowledge generated by an emancipatory interest exists at a number of levels. Firstly, the emancipatory interest generates *critical theories*. These are theories about persons and about society which

explain how coercion and distortion operate to inhibit freedom. Habermas cites Freudian psychology as an example of a critical theory about the inhibition of freedom in individuals. Marxism is an example of a critical theory about the inhibition of freedom in whole societies; and various theories of ideology also address the problem of how interaction can be distorted or coerced by certain interests. Certain strands of Christianity have developed critical theories - for example, liberation theology. In the field of education, the work of Paulo Friere offers a critical pedagogy towards liberation. Critical theory must be authenticated for each individual or group. That is, groups must be able to say not only "yes we are convinced this is true" but also "yes, that is also true for us!" Authentication takes place through the process of self-reflection. So the other type of knowledge generated by the emancipatory interest is *authentic insight*.

So, how does this relate to child protection practice? To understand an emancipatory child protection practice, we must grasp the shortcomings of the practical orientation. As was seen previously, the problem with viewing child protection as a meaning making process is that we may be deceived as to the true meaning of events. If true emancipation is to occur, it is important that the subject be freed from 'false consciousnesses'. Thus an emancipatory practice will work towards freedom on a number of levels. First of all, at the level of consciousness, the subjects participating in the child protection experience - workers, clients, managers, 'experts' - will come to know theoretically and in terms of their own existence when propositions represent distorted views of the world (views which serve interests in domination) and when they represent rigid regularities of existence. At the level of practice, emancipation will involve the participants in the child protection encounter in action which attempts to change the

structures within which practice occurs and which constrain freedom in often unrecognised ways. An emancipatory child protection practice entails a reciprocal relationship between self-reflection and action.

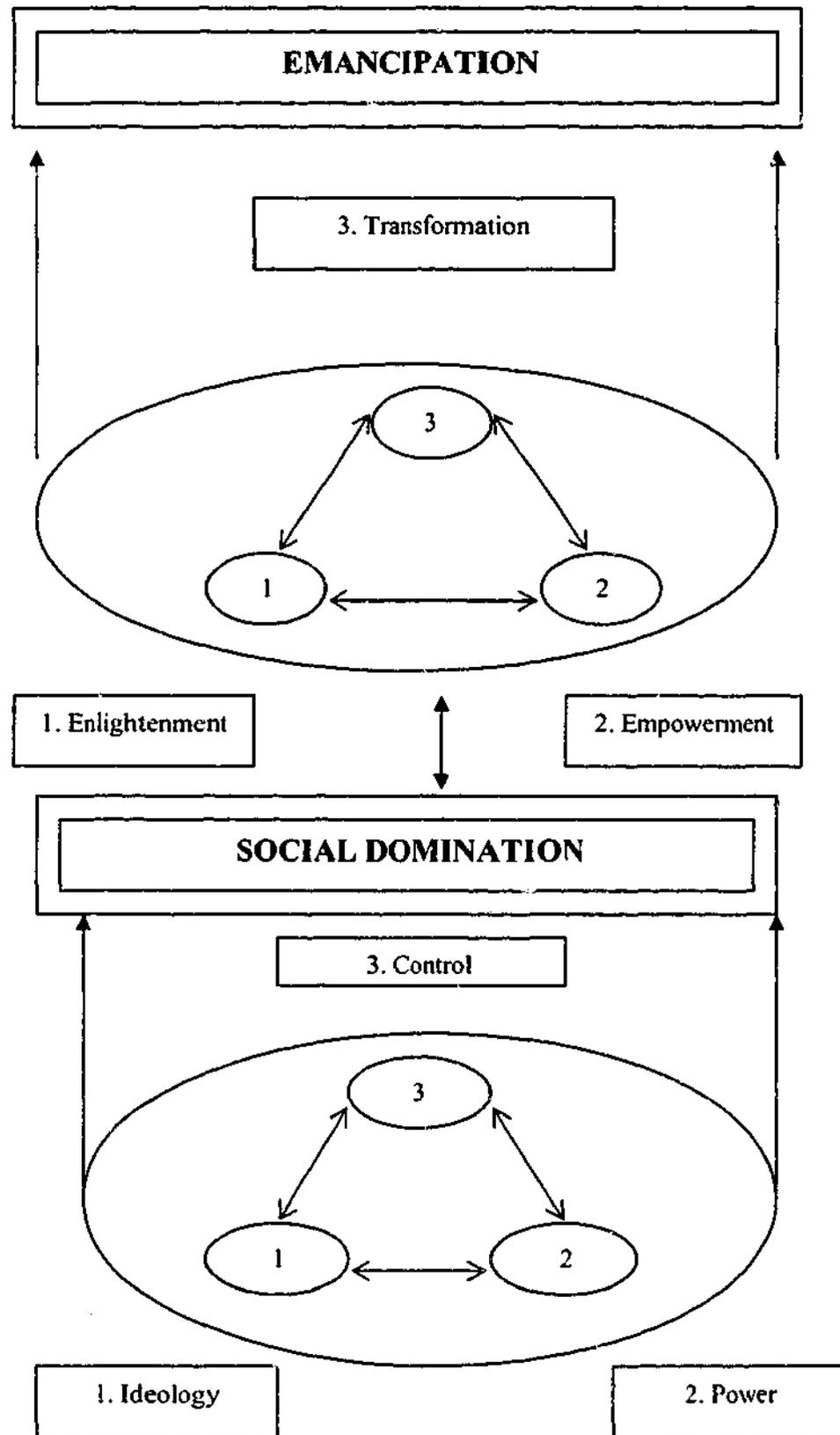
To summarise, Figure 9.1 offers a graphic depiction of the interrelationship between worlds, interests, validity claims and the interactive components of each.

Figure 9.1: Interrelationship between worlds, interests, validity claims and interactive components

Type of World	Interest	Validity Claim	Interactive Components
Objective Existential reality	Technical	Truth;	It/That; We/Us; I/Me
Social Legitimacy	Practical	Appropriateness;	We/Us; I/Me
Subjective	Emancipatory	Sincerity;	I/Me

The use of pronouns to describe the interactive components is a heuristic device to illustrate the interrelationship between the individual (the I/Me), collectivities (the We/Us) and the world of things (the It/That). This process allows us to see that the pronoun common to all levels is 'I/Me'. This indicates that the self-reflective process must originate with the individual. From there, two or more individuals form We/Us which will result in a liberated social group. This group will then influence an emancipatory relationship with the natural world. This being the case, the primacy of individual self-reflection becomes obvious. Oliga (1996: 291) offers a summary of the domination problems of contemporary society which is represented graphically in Figure 9.2.

Figure 9.2: From domination toward emancipation: the logic of the overall critical argument



He argues that it is through the two media of *power* and *ideology* that *control* is exercised, leading to *social domination*. This is illustrated in the lower part of Figure 9.2. The upper part of Figure 9.2 summarises the more viable, even if long-term and arduous, path toward emancipation. Connecting domination and emancipation is the argument that the emancipatory struggle requires educative *enlightenment* against *ideology*, *empowerment* processes against coercive forces of *power*, and *transformative* action against dominative *control*. Let us now then take a closer look at self-reflection as it relates to emancipation.

Self-Reflection and Emancipation

Habermas has attempted to develop a "theory of society conceived with a practical intent" (1974: 3). This move is accomplished through the elaboration of the emancipatory interest, which in self-reflection is conceived in an intersubjective context. From this perspective, truth, or reality, arises out of the discursive generation of rational consensus, worked out by communicatively competent participants. Like the technical and practical interests, the emancipatory interest constitutes knowledge which focuses on the function of reason itself as it occurs through interaction. Such a move is emancipatory in that it links critical reflection with practical reason; that is, it locates self formation in the context of socially enacted human relations. Self-reflection, reason and emancipation thus become inextricably linked:

The experience of reflection articulates itself substantially in the concept of a self-formation process. Methodologically it leads to a standpoint from which the identity of reason with the will to reason freely arises. In self-reflection, knowledge for the sake of knowledge comes to coincide with the interest in autonomy and responsibility (*Mündigkeit*). For the pursuit of reflection knows itself as a movement of emancipation. Reason is at the same time subject to the interest in reason. We can say that it obeys an emancipatory

cognitive interest, which aims at the pursuit of reflection. (Habermas 1972: 97)

Through the process of self-reflection the emancipatory interest is perceived as the means by which individuals can escape the seemingly natural constraints that institutional structures provide for people.

For Habermas, emancipation through self-reflection can deconstruct the predominance of the technical interest, which fetishises scientific method and obscures the self reflective move in knowledge formation. By locating the criteria for conducting social life in purposive-rational action, technocratic consciousness collapses the distinction between the technical and practical interests. The latter, if conducted ethically, reflects an essential condition for human self-formation, placing primacy on its intersubjective nature. However, "technocratic consciousness makes this practical interest disappear behind the expansion of our power of technical control" (Habermas 1970: 133) The technical interest is thus ideological in the sense that it distorts the nature of social relations by reducing them to issues of prediction and control (the colonisation of the lifeworld by the system). This is demonstrated in the child protection system by the 'risk assessment' procedure whereby parent/child relations (a lifeworld activity) are codified and evaluated according to predetermined technical criteria. The prioritising of the technical over the practical interest manifests itself in contemporary society in various ways. Certainly in Western culture the 'expert' has practically attained the status of a deity (Mumby 1988). Many human problems are couched in terms that suggest some type of technical solution, whether this involves solving a communication problem (e.g. reflective listening) or curing sexual impotence (e.g. Viagra). Such a privileging of the technical over the practical seems to ignore the degree to which humans place themselves at the mercy of a technocratic elite. As Deetz and

Kersten (1983: 153) state, "technical rationality and instrumental reason have come to eclipse practical concern for liberation and life".

The child protection system engages in systematically distorted communication because it engages in discourse that, in a Habermasian sense, is not fully redeemable. Power is exercised because the organisation is able to impose a particular kind of structure on the discourse it engages in without having the veracity of that discourse challenged from within (although it does receive challenge from the outside, particularly by the media) . In this context, Forester makes an explicit connection between discursive validity claims and the exercising of power:

Power may be understood not as a possession of an actor working mysteriously upon another actor, but rather, as a normative relationship binding the two actors together, a relationship which structures one agent's *dependence* on the other's information, *deference* to the other's supposed authority, *trust* in the other's intentions, and consideration of the other's claim to attention. (1982: 12)

In the context of systematically distorted communication, the issue of legitimacy of an organisation involves the ability to institutionalise meaning structures not through a rationally derived consensus, but through the *imposition* of claims to truth, rightness and sincerity that cannot be discursively redeemed. Power thus resides with those who are best able to make truth claims that are most secure against discursive redemption. Further, such normative power is enhanced considerably if accepted as unproblematic by those against whom power is exercised. For example, dependence for information by a client about the whereabouts of her children in State care (as illustrated in the previous chapter) will produce systematically distorted communication if the CPS chooses not to inform her because of the ideological belief that she is either neurotic (sad), psychotic (mad), or psychopathic (bad) and that her child would be in danger if she were to be told their

whereabouts. Such a normatively constituted relationship can be seen by the dependent side as either problematic and in need of change, or else as simply 'the way things are' i.e. as the natural structure of organisational behaviour.

These normative relationships are not simply the product of interaction between the various groups concerned, but are also the result of the structural aspects of organising. That is, the meaning structures that are articulated by those involved come to have a substantive quality to them by virtue of the way in which they are manifested in material organisational behaviour. This behaviour, in turn, is framed by the meaning structures that provide a sense of organisational reality for those involved. For instance, if the prevailing organisational ideology is that parents who abuse their children are sad, mad or bad, structures will be established to manage each of these contingencies (e.g. risk assessment procedures). These structures, in turn, will influence the meaning organisational members have of the clients. "These people are bad so I must conduct a risk assessment. The fact that I have to do that means that they must be bad." The notion of systematically distorted communication must therefore be considered not as a purely discursive phenomenon but rather as very much a material aspect of the process of organising.

A critical approach to organisational culture thus moves beyond the surface issue of sense-making to examine the means by which certain meaning structures come to be more pervasive and widely accepted (i.e. more legitimate) than others. In other words, from a critical perspective, the concern is to examine the ways in which *vested* interests can potentially limit discursive choices and thus produce a false, rather than a rational consensus. Organisations, as sites of vested interests, distort and constrain communication (as was demonstrated in chapter six) in such a way that those interests are maintained and

reproduced². In such a context, the role of critical theory as conceived by Habermas is one of social reconstruction; that is, the restoring of a rational consensus through the critique of systems of ideology and domination, along with the self-reflection and self-formation that concurs as a result of such critique. Frost (1980: 503), for example, suggests that "critical organisation science should attempt a combination of theory and revolutionary action aimed at making individuals fully aware of the contradictions and injustices in their organisational existence and at assisting them to find a path out of their contradictions". Such a position expresses Habermas's notion of a critical theory with a practical intent.

Deetz and Kersten (1983) put this idea in another way when they state that critical theory's pursuit of social reconstruction should involve the three tasks of understanding, critique and education. Here understanding refers to the ability of social actors to recognise the human, social origin of those factors that create and sustain organisational reality. Critique involves the examination and questioning of the process by which these meaning structures become accepted as legitimate. Finally, education recognises the need for organisation members to engage actively in the process of self-formation through the building of an alternative organisational reality that is discursively built through a coercion-free consensus.

Mumby (1988) suggests that the most important element in any critical theory of organisations is the incorporation of a reflection upon one's conditions of existence in the organisation. This process of self-reflection is absent from more traditional approaches to examining organisational cultures insofar as the explication of the sense making process is viewed as an end in itself (Mumby 1988: 36). The potential for a critical assessment of the meaning formations within an organisation is severely limited because of the lack of a

reflective process; that is, organisations do not generally endow organisation participants with the capacity for reconstructive thought. Instead, they are generally viewed as operating *within* social formations, even though they create and reproduce such formations themselves.

Mumby (1988: 37) invokes the notion of choice *in* context and choice *of* context to characterise the difference in the critical approach to the traditional approach. The former, characteristic of the traditional approach is generally limited to description of the surface structures of meaning that make up the day-to-day social practices of organisation participants. The concern here is to describe an organisation based on things as they are - for instance, the numerous external and internal reviews of the CPS which recommend (whether acted upon or not) a host of changes to procedure yet crises and problems still frequently occur. The latter, on the other hand, moves beyond simple description and focuses on the relationship between deep structure and surface structure, seeking to expose the constraints and blockages that distort the communication process. In this sense, choice *of* context attempts to probe beneath the surface meaning of organisations to create alternative ways of thinking about organisational behaviour.

Self-Reflection as individual action

The whole process of critique that Habermas presents is grounded in Freudian discursive intervention, considered by Habermas to be the nearest thing to a concrete exemplification of the ideal speech situation. Indeed, Habermas credits Freud with having shown:

How the relations of power embodied in systematically distorted communication can be attacked directly by the process of critique, so that in the self-reflection, which the analytic method has made possible and provoked, in the end insight can coincide with emancipation from

unrecognised dependencies – that is, knowledge coincides with the fulfillment of the interest in liberation through knowledge. (1974: 9)

Freud is incorporated into Habermas's social theory insofar as "psychoanalysis is relevant to us as the only tangible example of a science incorporating self-reflection" (1972: 214). The aim of psychoanalytic theory is to "emancipate the neurotic individual by removing the resistance that interdicts the public communication of repressed elements in the individual's unconscious" (Mumby 1988: 37). The dialectic between patient and therapist has, as its goal, self-reflection by the former so that repressed parts of the self may be reappropriated and subject to examination. It is the task of the analyst to assist the patient to reformulate those parts of the self that have been repressed in terms that can be communicated publicly. Thus, "the performance of the analyst in putting an end to the process of inhibition can therefore be understood as a process linked to desymbolization" (Habermas 1970: 214).

Applied at the societal level, the psychoanalytic component of critical theory takes as its object of analysis the collective neurosis of society as a whole. McCarthy (1982: 194) states that Habermas uses "psychoanalytic concepts to establish a link between institutional frameworks of society and individual psychology." The concept of neurosis translates into the ideological meaning systems that articulate forms of reality supporting particular power groups in society. This structuring of society can be maintained only if these ideological structures remain in place, blocking the expression of suppressed meaning systems. The task of the critical theorist is therefore to expose these ideological forms, presenting the possibility of a rational coercion-free consensus of meaning. Validity claims based on false consensus are rendered problematic by discursive testing, and emancipation is made possible through the discursive redemption of validity claims based on true consensus. Psychoanalysis is seen as model for the critique of ideology in the sense that emancipation

is generalised from the individual to the social collective, and ideally produces a rational general will that is free from the distorting influences of power and hegemonic processes.

Criticisms of the use of psychoanalysis as ideology critique

Many critics have taken issue with Habermas's choice of psychoanalysis as the exemplar of the ideal speech situation through which ideology – in the form of systematically distorted communication – can be exposed to analysis and critique. The main point of contention is the issue of whether the psychoanalytic context can serve as a valuable heuristic device when applied to the neurosis experienced at a wider, societal level. For example, the principal goal of psychoanalysis is to emancipate the patient from the repressions and delusions that he or she experiences in the same way critical theory attempts to emancipate social groups from social neuroses that systematically distort reality. McCarthy (1982: 212) points out, however, that the key to the success of the psychoanalytic method is the patient's recognition of his or her suffering and desire to be cured. The success of ideology at the societal level, however, is at least partly dependent on its ability to obscure relations of domination; it is therefore quite possible that repressed social groups do not experience dissatisfaction with their situation because they do perceive themselves as subordinated to other groups, and perceive their subordination as 'natural'.

McCarthy (1982: 212) also points out that an intrinsic part of the process of psychoanalysis involves encouraging the patient to relive his or her suffering and that, furthermore, this suffering must not be terminated prematurely if a cure is to be effected. Again, there is an obvious difficulty in applying this principle to social formations. While the therapist has institutionally sanctioned control over the relationship with his or her

patient, the critical theorist has no such control over social groups that he or she is attempting to emancipate.

Notwithstanding these criticisms, let us now investigate a possible self-reflective process which could be applied to everyday child protection practice which combines a contemporary psychological theory with Habermas's theory of argumentation. As Habermas (1987: 389) asserts "the theory of communicative action provides a framework within which the structural model of ego, id and superego can be recast...This approach can...appropriate more recent developments in psychoanalytic research."

The constraints on self-reflection

Abrahamsson (1977) has explored the effect of bureaucracy on the level of participation in organisations. He argues that bureaucracy tends to militate against participation in organisational policy and decision making at all levels, insofar as it detaches organisational administration from the mandators of organisations (those social groups that have a vested interest in shaping organisational goals). The interests of such groups become obscured by the tendency of organisational bureaucracy to take on an autonomous existence. Abrahamsson suggests that a truly participatory organisational environment must dispel the notion that decision making is the prerogative of bureaucrats, and instead view it as involving the representation of all interest groups – workers, managers, consumers, shareholders and so forth.

Such a conception of organisational democracy has generally been resisted because "first, high level participation cannot as easily be shown to bring economic benefits; and, second, that such participation threatens the power positions of the owners with regard to

their major goals and utilization of capital resources" (1977: 188). It could also be argued that such a conception of participation does not fit with the structure of meaning in most organisations. Ideology plays an important role in glossing over the different vested interests of various groups, by articulating an organisational reality that emphasises uniformity and consistency of organisational values and goals. As such, the power of dominant groups in controlling organisational resources goes hand in hand with the ability of such groups to frame organisational reality in their own terms.

Power and ideology, then, are inseparable. Habermas would agree with this claim, but for him power is embodied in systematically distorted communication and the coercive production of false consensus. In an organisational context, power operates ideologically when it is used to impose a certain form of organisational rationality on members, while simultaneously restricting the articulation of any contradictory or competing rationales which may be proposed. Power is also exercised by social actors who maintain a degree of autonomy in the face of ideological meaning formations.

Giddens (1979, 1981, 1982) follows this theme through in developing the notion of human agency: "at the heart of both domination and power lies the *transformative capacity* of human action, the origin of all that is liberating in social life as well as all that is repressive and destructive" (1981: 51). This "dialectic of control", as he calls it, focuses on the ability of the social actor, as agent, to engage in choice, however restrictive the conditions may be. Thus, "the dialectic of control is implied...in the logical connection between agency and power. An agent who has no opinions whatsoever is no longer an agent" (1981: 63). In Giddens's formulation, organisations are not simply constraints on action, but also function in an enabling capacity, allowing organisation members to reach

goals, develop value systems and, potentially, construct alternative versions of organisational reality. Agency and structure are therefore interdependent. The structural nature of organisations is both the medium and product of the practices that constitute these organisations. This "theory of structuration" (Giddens 1984) explicitly rejects the idea of the social actor as completely subject to the structures of domination embodied in the organisation, and suggests instead that organisational practices have a potentially transformative capacity.

By conceiving of organisational structure as both enabling and constraining, then, Giddens provides the necessary link between ideology and domination on the one hand, and transformation and emancipation on the other. The capacity for both domination and emancipation is embodied in the everyday practices of organisational life. Now let us consider a model which will enhance the emancipatory and transformatory potential of everyday child protection practice.

The emancipatory self-reflection process in everyday practice

We saw in Figure 9.1 that the common interactive component in the three worlds of objective, social and subjective was the I/Me – the individual person. So, for change to occur at the organisational level it must commence at the personal level through self-reflection. Although Habermas suggests that self-reflection is the means by which emancipation can be manifest he offers no suggestions as to the process of self-reflection. In order to ground the process of self-reflection in everyday child protection practice I shall draw upon the work of Kim (1999) who offers a model which she devised for the nursing profession. Kim has located her work in the tradition of action science (Argyris and Schön

1974) and critical philosophy (Habermas 1984). Although Kim's model was designed to be employed by the reflective researcher as a method of data collection, she points out that it is equally applicable to reflection on action by the practitioners. She suggests that the model is appropriate for use in problematic clinical situations such as those in which not much knowledge exists for practitioners to apply; those in where divergent approaches by different practitioners are adopted and used; or those in which a great deal of controversy, misunderstanding and/or disharmony exists among practitioners or between practitioners and clients - all of which are familiar scenarios within the child protection system. By investigating practice in such situations it is possible not only to identify aspects or forms of practice to be improved but also to discover and generate new knowledge drawing from practitioners' personal knowledge.

The term 'reflection' is defined as "a process of consciously examining what has occurred in terms of thoughts, feelings and actions against underlying beliefs, assumptions and knowledge as well as against a backdrop (i.e. the context or stage) in which specific practice has occurred" (Kim 1999: 1207). The term 'critique' she has developed within the context of Habermas's critical philosophy (1984) and Friere's (1972) critical reflection and refers to "the process of identifying the nature of distortions, inconsistencies and disharmony emerging from reflection, and working towards correcting such disparities through various emancipatory processes" (Kim 1999: 1207). It involves both emancipation of oneself from self-deception (i.e. to free oneself from false-consciousness and make oneself open from being locked-up in false beliefs of being 'good' or 'correct'), and emancipation of participants (in the case of child protection, mostly workers and clients)

from misunderstanding and moving towards mutual understanding about goals and intentions. Figure 9.3 explains Kim's phases in critical reflection.

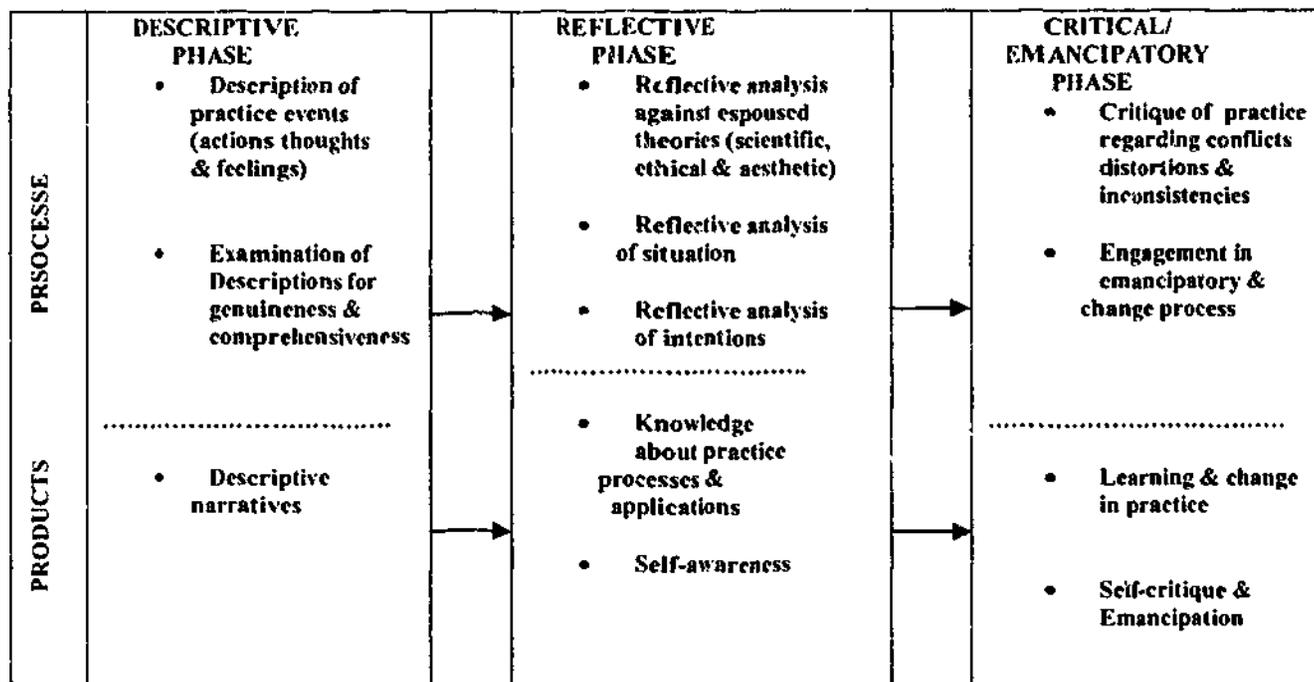
For Kim then, reflection, in accordance with Habermas, starts with the world and ends with the self. According to her model, critical reflection consists of three phases: descriptive, reflective and critical/emancipatory.

Descriptive Phase: This phase involves a description by the worker of specific instances of practice. It involves the specific recollection of genuineness, comprehensiveness and completeness with regard to the worker's actual experiences in terms of actions, thoughts and feelings in specific situations. This phase is itself analytical in the sense that worker's

become engaged in conscious efforts to view themselves and their actions with a certain degree of detachment and suspension. It could be called the "What (happened)? phase. This phase corresponds with the objective world in Habermas's three world concept. Reflection here should be aimed at arriving at the distinction between being and illusion. Here, there is an inherent obligation to return to the source of the experience in which the worker grounds the claim to truth. The guides for reflection in this instance are the speech acts relating to constative speech (Habermas 1979) i.e. asserting, reporting, explaining, contesting, and so on - the worker takes an objectivating attitude. For instance, the worker could reflect on a visit to an allegedly abusive parent whose attitude was hostile and uncooperative towards the worker's intervention. She could ask herself such questions as - "In what ways did we define abuse differently?", "How does her perception of the problem differ from mine?", "Why does her perception of the problem differ from mine?", "How does her explanation of the problem relate to the data collected by the risk assessment process?", and "When she

became hostile, how could I have handled the situation differently?" If this grounding of truth claims does not dispel doubt between both parties, then any problematic truth claims become the subject of theoretical and methodological discourse (McCarthy 1982: 285).

Figure 9.3: Phases in critical reflection



(after Kim 1999: 208)

Reflective phase: In this phase, descriptions of what has occurred in practice are examined in a reflective mode against the worker's personal beliefs, assumptions and knowledge. This phase could be considered the "So what?" phase. The reflective process involves three different foci: reflecting against standards or procedures, reflecting on situation and reflecting on intentions (Kim 1999: 1208).

As its first focus, the reflective process involves comparing descriptions against (a) scientific knowledge and claims, (b) ethical and value standards, and (c) aesthetic

genuineness and creativity from a general and personal perspective. The scientific aspect of practice refers to the use and application of empirical knowledge that is drawn either from a general scientific knowledge base or from personal knowledge. On the other hand, the ethical aspect of practice refers to meanings and attitudes underpinning specific actions in practice, while the aesthetic aspect of practice refers to forms of self-presentation and creativity adopted in practice. Because knowledge regarding all three aspects of practice needs to be generated in this reflective phase, practice needs to be examined in terms of the extent to which actual practice is aligned with empirical knowledge, ethical knowledge and aesthetic knowledge.

In order to carry out this step of the reflective process, the worker needs to identify her/his own beliefs, assumptions and knowledge to a specific situation as a first step. Secondly, the worker needs to be involved in identifying specific shared assumptions and beliefs with other actors regarding scientific, ethical and aesthetic aspects of practice applicable to a specific situation. These are then critically analysed to discover the level of coherence and consistency of beliefs and assumptions between all actors in the situation. So, in the child protection situation, the first step would be to compare the worker's beliefs about parenting and childrearing with that of the parent, noting similarities and differences and analysing how and where such differences could arise. This step in the reflective process brings to the worker insights and self-understanding about his/her mode of practice. The worker can discover not only how he/she is able to handle complex situations but also in what ways routinised practice becomes entrenched.

The second focus of reflective analysis involves reflecting on a situation in order to identify how specific aspects of each situation affect actual practice. An analysis of the

history and specific configurations of a situation provides an understanding of that situation's uniqueness as well as the situation's commonality with other situations.

The third focus is the reflective analysis of the worker's intentions against actual practice. It involves reflecting on worker's intentions for actions that have resulted from deliberations about what was to be done. Although the worker's deliberations may not necessarily be systematic or rational, deliberations produce intentions, either obvious or latent, for actions in practice (Kim 1994). A reflective analysis of intentions against actions may bring forth insights into the role of intentions on actual practice and on the process of practice. This, according to Kim (1999), is a very difficult aspect of the reflective process, as it is not easy for people to free themselves from 'rationalisations' they make of their actions and separate which actions were intended from those actions that were not. This is why Habermas suggests that reflection not be a solitary practice but undertaken with others such as supervisors, mentors, colleagues and so forth. He recognises that reflection alone has many challenges:

The self-reflection of a lone subject therefore requires a quite paradoxical achievement: one part of the self must be split off from the other part in such a manner that the subject can be in a position to render aid to itself...in the act of self-reflection the subject can deceive itself. (1974: 28)

In Habermas's three world concept, this phase corresponds with the social world. Here the guiding form of speech act is the regulative speech act. Regulative speech acts mark the difference between what is and what ought to be. Examples are requests, warnings, recommendations, advice (Murray and Ozanne 1991: 142). For example, for intervention to be successful, it would be better for there to be a rapport between the child protection worker and the parent rather than a hostile relationship. Here, there is an inherent obligation to return to the normative context from which the worker justifies a claim. For

instance, continuing the above example, the worker could ask herself – “How do my values differ from that of the parent?”, “How can I establish rapport with her?”, and “How can I justify my values compared to hers?” If such self-reflection does not result in mutual understanding regarding values then the validity of the underlying norm must be called into question and also become the subject of theoretical and methodological discourse.

From this phase it is possible to discover systematic inconsistencies and disparities between beliefs/intentions and actual practice leading to the next phase, the critical/emancipatory.

Critical/ emancipatory phase: This phase is oriented to changing ineffective practice, or moving forward to future assimilation of innovations emerging from practice (Kim 1999: 1209). It may be considered the “What now?” phase. It involves discourses about the nature and sources of distortions, inconsistencies and incongruence between values/beliefs and practice, intentions and actions and clients’ needs and workers’ action, which have been identified in the reflective phase.

The worker engages in the process of critique in order to discover problems that require change in practice. The areas needing both self-emancipation (at the individual level) and communal emancipatory process (at the organisational level) are identified and addressed in terms of how changes through genuine understanding of oneself and others can be brought about in practice. This phase represents the subjective world in Habermas’s three worlds. Here, self-reflection is guided by representative speech acts i.e. those that reveal, expose, admit, express, in conjunction with intentional verbs, i.e. acts of belief, hope, fear, desire (Murray and Ozanne (1991: 142) . Such speech acts mark the distinction between the real self and appearances. Here there is an inherent obligation to be truthful

when revealing one's inner nature (McCarthy 1982: 285-286). The worker can ask such questions as – “Was I happy with myself in what I did?”, and “How could this be different for me, my colleagues and my clients?”

Through such questioning, workers can engage in self-dialogue and argumentation with themselves in order to clarify validity claims embedded in their action, bringing forth the hidden meanings and disguises that systematically result in self-oriented and unilateral actions or ineffectual habitual form of practice. Self-emancipation is the desired outcome of this examination as through this process workers may become open to new models of practice. Workers can develop a process of practice that incorporates self-emancipation from routinised practice. In addition to self emancipation, this phase can also be used to bring about an emancipatory culture in organisational settings, through some form of change process involving staff as a group. It is for this that we now turn to Freire's (1972) concept of *praxis* for it is this form of action which is the expression of the emancipatory interest.

The Concept of Praxis

Praxis is a fundamental concept in Freire's (1972) work and is fundamental to the emancipatory interest (Habermas, 1974). From Freire's seminal work *Pedagogy of the Oppressed* we can glean the following characteristics in relation to praxis (sexist references notwithstanding):

1. The elements that constitute praxis are action and reflection. “But men's activity consists of action and reflection: it is praxis: it is transformation of the world: and as praxis it requires theory to illuminate it. Men's activity is reflection and action, it is

theory and practice" (1972: 96). Theory and action in this case is not a linear arrangement in which the former determines the latter; rather, it is a reflexive relationship in which each builds on the other. "The act of knowing involves a dialectical movement which goes from action to reflection and from reflection upon action to a new action" (1972: 31).

2. Praxis occurs in the real world, not an imaginary or hypothetical world.

The starting point for organizing the programme content of education or political action must be the present, existential, concrete, situation, reflecting the aspirations of the people. Utilising certain basic contradictions, we must pose this existential, concrete, present situation to the people as a problem which challenges them and requires a response not just at the intellectual level, but at the level of action (1972: 68)

3. The reality in which praxis takes place is the world of interaction. It means with, not upon others. "For the truly humanist educator and the authentic revolutionary, the object of action is the reality to transformed by them together with other men – not other men themselves" (1972: 66)
4. Praxis is the act of reflectively constructing or reconstructing the social world. It is the constructed world, not the 'natural' world "men emerge from the world, objectify it, and in so doing can understand and transform it by their labour" (1972: 96).
5. Praxis assumes a process of meaning making, but it is recognised that meaning is socially constructed, not absolute. Freire offers as an example the experience of a group of men in an adult literacy class who were presented a photograph of a

drunken man. The teacher's intention was to promote a discussion of alcoholism. Instead, what eventuated was an identification with the drunken man. They related to the person in the photograph in terms of their own selves who, to escape from their oppressed existence, resort to drinking alcohol. If the teacher's meaning had prevailed the opportunity for critical reflection upon the problematic nature of the reality of the participants would have been missed.

Emancipation and Praxis

In order to illustrate the relevance of Praxis, it is necessary to make the link between Praxis and Habermas's emancipatory interest. Throughout Freire's writing, he refers to 'liberating' education with the implication that his work is informed by an interest in emancipation. In both the work of Habermas and of Freire, we have the indissolubility of speech and freedom. Mention has been made earlier of Habermas's connection of speech with freedom and justice in which truth is that "on which all agents would agree if they were to discuss all of human experience in absolutely free and uncoerced circumstances for an indefinite period of time" (Geuss 1981: 65). Freire also links speech with freedom and regards dialogue as a fundamental human phenomenon. Freire discusses the empowering force of dialogue thus:

As we attempt to analyse dialogue as a human phenomenon, we discover something which is the essence of dialogue itself: the word. But the word is more than just an instrument which makes dialogue possible; accordingly we must seek its constituent elements. Within the word we find two dimensions; reflection and action, in such radical interaction that if one is sacrificed – even in part – the other immediately suffers. There is no true word that is not at the same time praxis. Thus to speak a true word is to transform the world... Human existence cannot be silent, nor can it be nourished by false words, but only by true words, with which men transform the world. (1972: 60)

In its everyday sense, 'dialogue' implies a genuine exchange of words or ideas between two or more persons who enjoy an equal role in the conversation. In speaking of dialogue, Freire is drawing attention to the importance of equal active participation in naming the world; in making and remaking reality through transforming action-reflection.

In addition to a common interest in speech, Habermas also shares with Freire an interest in the liberating potential of the mediation of theory and practice. In such mediation, Habermas identifies three functions: the formation and extension of critical theorems, the organization of a process of enlightenment and the conduct of the political struggle (1974: 32). A critical theorem is "a theory about fundamental human capacities, undistorted by the operation of ideology" (Grundy 1987: 112). They are implicit in the very nature of human interaction and thus represent a potential for enlightenment and emancipation. The potential of critical theorems for enlightenment lies in the possibility which they represent for groups to comprehend that there are explanations for the ways in which they are experiencing the world other than the 'natural' explanations which have always been accepted. For instance, critical social theorems may enable child protection workers to understand that the way in which the child protection system works may not necessarily act in a child's best interest. Thus it becomes possible to understand that the ideal of acting in a child's best interest, which is accepted as an aspiration influencing ways in which child protection is organised and practised, has been distorted by certain unrecognised interests in maintaining the current distribution of power in a society (for instance, by blaming the victim). Critical theorems, however, do not 'tell' people what to do. Rather, through a process of reflection, a group of people may come to affirm that the

theorem provides them with insights into the interests that determine the organization and operation of the group. This is the process of enlightenment.

However, emancipation does not automatically follow from enlightenment. Such a view would entail a technical relationship between theory and practice; a relationship that presupposes that once the theory is in place, action automatically follows through skilled application. That is not emancipatory, for ultimately it means that theory is more important than practice. There is no freedom in simply following what has been determined theoretically beforehand. Emancipation lies in the possibility of taking action autonomously. Such action may be informed by certain theoretical insights but is not prescribed by them. Habermas asserts quite strongly that neither critical theorems nor the insights gained through reflection have any power to determine action, for action in the realm of human affairs involves risks which can only be weighed up by the practitioners themselves. Action following from enlightenment arrived at through reflection must be an act of free choice.

Decisions on the political struggle cannot at the outset be justified theoretically and then be carried out organisationally. The sole possible justification at this level is consensus, aimed at in practical discourse, among participants, who in the consciousness of their common interests and their knowledge of the circumstances and secondary consequences, are the only ones who can know what risks they are willing to undergo and with what expectations (Habermas 1974: 33).

If we return to Freire's explanation of praxis involving action and reflection, it becomes apparent that praxis is not simply about doing something and thinking about it. Praxis involves freely choosing to act in ways which are informed by critical theorems. It is not assumed that because such actions are informed by such theorems it will automatically be the 'right action'. Such actions must in turn become the subject of reflection, as must the

theorems which informed the action. Theory and practice must both be open to critical scrutiny. Because of this, praxis is not action that maintains the situation as it is, it is action which changes both the world and our understanding of the world. In this way, praxis is informed by an emancipatory interest which would preserve for all the freedom to act within their own social situations in ways which enable the actors to be able to resist coercion and manipulation, rather than the ultimate control of their actions residing elsewhere.

Praxis applied to child protection

Let us now use the principles of emancipatory interest and praxis, as discussed above, to reflect upon what it would mean to have a child protection system which was informed by praxis. Using the constitutive elements of praxis discussed earlier, let us examine what meaning these elements would have when applied specifically to the subject of child protection.

The constitutive elements of praxis are action and reflection: If, being committed to engaging in forms of praxis in our lives and work, we are committed to a child protection system which promoted praxis, this principle would suggest that policies, procedures and practice develop through the dynamic interaction of action and reflection, that is, such things are not simply sets of plans to be implemented, but rather are constituted through an active process in which planning, acting and evaluating are all reciprocally related and integrated into the process.

Praxis takes place in real, not the hypothetical situations: It follows from this principle that the construction of child protection cannot be divorced from the act of

'implementation'. If we regard child protection as a social praxis, then it must be constructed within real not hypothetical learning situations and with actual, not imaginary clients.

Praxis operates interactively in the social and cultural environment: If we apply this principle to the construction of child protection, it becomes evident that the system, operating as a form of praxis, cannot simply be about 'things'. Rather, it must be recognised as a social act. This means that the construction of the child protection intervention environment as a social, not simply a physical or technical environment is central to child protection praxis. Notions of individualised pathology, so much the hallmark of current practice, become open to critical scrutiny. If child protection is regarded as a form of praxis, then intervention is to be seen as a dialogical relationship between worker and client, rather than an authoritative one.

Praxis recognises social phenomena as socially constructed, not as natural: The application of this principle to child protection entails the recognition that child maltreatment is socially constructed and therefore a contested discourse. It is not 'natural' to abuse one's child. Through dialogue based on communicative action workers and clients become participants in the construction of their own knowledge of methods of child well-being. This, in turn, obliges participants in the child protection situation to engage in critical reflection upon that knowledge in order for it to be constantly evaluated and recreated.

Praxis assumes a process of meaning-making which recognises meaning as a social construction: This principle follows from the previous one. Meaning-making and interpretation are central to all so-called knowledge; hence, a critical orientation to all

knowledge is essential when we are engaged in forms of praxis. This, in turn, entails that the child protection process is inescapably political, for meaning-making also involves conflicting meanings. Those who have the power to control the process are those who have the power to make sure that their meanings are accepted as the 'right' ones. When workers and clients together challenge this ascendancy by claiming the right to determine mutual meanings of the situation through the process of discourse ethics, the process of meaning-making becomes a political act.

In addition to the above, I would like to include another principle, this time derived from the work of Habermas:

Praxis involves interaction between participants to be conducted in an atmosphere of ethical discourse: Workers draw the distinction between speech and discourse central to Habermas's theory of communicative action. They do not simply talk about their practice: they institute discourse about practice in which the comprehensibility of utterances, their truth, the rightness (appropriateness) of actions and the sincerity of speakers can all be examined. In such an atmosphere the rules of discourse ethics should apply namely: that it is free from coercion and power differences, that it offers equal chances for all participants, that no topic shall be excluded from discussion, and that the only accepted force shall be that of the better argument.

Moving from being uncritical to critical, from being ahistorical to being a person who sees his or her work within an historical framework requires a transformation of consciousness. This is the process which Freire (1972: 128) has called 'conscientization': "the necessary means by which men (sic), through a true praxis, leave behind the status of historical subjects". It is a process of transformation in which knowledge and action are

dialectically related through the mediation of critical reflection. As such, it is a reflexive rather than a linear process, with the transformation displaying itself in increasing moments of emancipatory praxis. Hopefully, over time, such practices as outlined above may lead to the establishment of a trusting relationship between all parties in the child protection system for it is in a lack of generalised trust in the system and those whom work in it that contributes to its present malaise. Developing trust requires a change of perspective leading to a certain type of action: listening.

Conclusion

This chapter has applied Habermas's concept of knowledge and interests to the everyday practice of child protection linking his earlier work to his later 'three worlds' concept. This was followed by a discussion which focussed on the emancipatory interest, the third in the trilogy of human knowledge and interests. It was explained that whilst the first two of these interests, the technical and practical, are performed in child protection practice, very little, if any, of the emancipatory interest is performed.

As Habermas has pointed out, the action associated with the emancipatory interest is self-reflection. The chapter then continued to suggest a model of self-reflection for the individual worker at the lifeworld level that could be adapted to everyday practice. This was followed by a suggestion of how, at the system or organisational level, the work of Freire could be appropriated.

Of course, these suggestions would most probably not occur under the dominant notion of child protection being seen as a *process* rather than a service. For these suggestions to occur, there would be a need for a change of perspective. The final chapter

will suggest a means of changing perspective which would encourage listening (in an emancipatory sense) and the encouragement of trust.

¹ In the interest of impartiality it should be pointed out that a similar occurrence was a feature of the economic 'summit' meetings convened by the Hawke Labor government in 1983 (Grundy 1987)

² This is not to imply that the whole process of domination and legitimization is the result of some Machiavellian conspiracy by CPS to structure the organization to support its own interests. Rather, what is suggested is that the process of legitimating certain structures of reality is achieved through the articulation of ideological meaning structures, the "natural order" which is just as readily accepted by dominant groups as by subordinate groups. To Althusser (1971) ideology does not stand up and shout "I am ideological", it is rather in the very nature of ideology to disguise itself against being seen as ideology.

Chapter 10

Towards an Alternative Perspective**Introduction**

The goal of this thesis has been to elucidate how the theory of Jürgen Habermas can be used to identify the manner in which organisations produce, maintain and reproduce their day-to-day practices by exercising power to the degree that they are able to frame organisational reality discursively in a way that serves their own interests. In this case the Victorian Department of Human Services Child Protection System (CPS) was chosen as the vehicle by which this could be demonstrated. I have argued that meaning within organizations does not arise spontaneously and consensually, but is rather the product of the vested interests of particular organisational groups. Power is exercised by such groups not only in control of organisational resources (technology, information, and so on) but also to the degree that they are able to frame organisational reality discursively in a way that serves their own interests.

Ideology, in the form of systematically distorted communication, serves in this capacity by producing and reproducing the subjectivity of CPS workers and their clients through the process of interpellation. As such, the dominant interests are taken on uncritically as the interests of all the constituents of the system. Ideology is thus conceived not simply as a set of beliefs, but as a materially-located meaning system that *constitutes* the social actors' organisational consciousness. In this context, a focal point of this thesis

has been the relationship between ideology and practice, as expressed through systematically distorted communication and organisational practices. The discursive and behavioural practices of organization members (managers, workers and so on) can be viewed as the material manifestations of ideological meaning formations; discourse constitutes systems of signification that both express and reconstitute the dominant ideological structure of the organization. Organisational discourse is therefore incorrectly conceived as being merely representational; that is, as a means of describing an already structured organisational system. Organisational communication practices are therefore the principal means by which ideological meaning formations are instantiated. In Habermas's terms, language is systematically distorted (ideological) to the degree that it represents certain interests to the exclusion of others. The ideological domination of one group by another is accomplished through the discursive articulation of certain meaning structures which simultaneously obscure other possible world views.

In chapters seven and eight, I looked specifically at a way in which organisational narrative can function ideologically to produce and reproduce the forms of organisational reality required to sustain the interests of the dominant group in the child protection enterprise. They are ideological to the extent that they privilege certain readings of organisational life while presenting themselves as reflections of the existing order of things as 'the way things are'. As a consequence, a certain ideological meaning system is reproduced to the degree that the dominant interest group has the ability to make particular meanings 'stick' to everyday child protection practice.

Where to from here?

In chapter nine, I outlined the function of self-reflection as a form of *praxis* by which social actors are able to re-evaluate their conditions of existence within an organization and the practices in which they engage. This involves not only knowledge of how to cope with organisational exigencies, but it also points toward insight into the ideological meaning structures that frame organisational reality. Insight into these structures provides the basis for the generation of alternative realities. The ultimate goal is therefore the attainment of both theoretical insight and practical action that is informed by such insight: in other words – *praxis*. In this sense, self-reflection is legitimised to the degree that it produces social transformation.

Listening as emancipatory action

Listening is an action related to *praxis*. If *praxis* refers to acts in which theory guides practice, listening, as distinct from hearing, is praxical. How so? In order to discuss this question one needs to draw a distinction between hearing and listening. Hearing is easy. We can hear words but not what is meant. We can hear what is intended but not what is important. We can hear what is important but not the person speaking. As we hear, we may simply absorb noise. As we listen, we may foster trust and shared presence, care and strength. Listening has no objects, only subjects. Hearing, on the other hand, has an object, a message sent and to be received. Hearing subordinates the uniqueness of the speaker to the formal meaning of his/her talk, his/her utterances; listening understands the meaning of what is said in the context of the speaker's life. In hearing, we have a relationship of

information flow; in listening, we have a world of persons, human beings, a moral world of actors.

Referring to listening as praxis should not confuse our understanding of it. Listening is an everyday activity of interpretation, fundamental to our practical lives. It also has an inherently critical and judgemental quality. We need the capacity to listen *to correct for distorted* meaning or communication. We may know someone is not telling the whole story; they are holding something back; or they do not know details we know that others know; or they are reporting from an obviously biased position; or they are confused or ambiguous or vague in what they are saying. In all these cases simply hearing what is being said does not get us very far. We need to listen in addition, so as to be able to evaluate how distorted a message we may be hearing is, and so judge what it really means, what to do, how to go on as a result. Listening is practical – hearing would leave us stuck with literal meanings. Hearing informs learned meaning; listening informs response and action. Hearing accepts messages distorted or not; *listening is our critical corrective in everyday life* (the lifeworld), and as such is ‘praxis’.

We seem often to equate ‘listening’ and ‘hearing’. In doing so, we pay costs: we neglect the opportunities we have in listening. Hearing transforms persons into objects processing messages, senders and receivers. Listening is an activity of one subject to another. By not listening, we deny ourselves the insight, vision, compassion, and ordinary meaning of others. We deny our own possibilities of learning, growing and understanding who we are – collectively and individually. When we do not listen, we deny our membership in a shared world with others. The call to listen is a call to vision, to ask questions of human possibilities, of who this person is and can be, who we are together and

who we can be. Listening is the recovery of hope, the transformation of futility, the reconstruction of situations, the beckoning from being levelled into thinghood and anonymity. It is the presence of the attention that denies the absence of care, it is the manifestation of care. Imagine how Barbara's situation might have been different if she had been listened to.

Systematically distorted communications: listening as a corrective practice

The listening being discussed here is not the narrow, pragmatic type of listening espoused in pop psychology 'how-to' books. Listening in this context is the praxis of action that questions relations of power and offers the possibilities of progressive and emancipatory action. As discussed in chapter six, Habermas's work has refined the traditional Marxist 'critique of ideology' to a 'critique of systematically distorted communication'. While the presence of ideology may often be often difficult to identify in the minutiae of everyday life, the presence of systematically distorted communication (due to structures of power and constrained processes of enquiry) is not. Attention to the interpretative activity of listening may show us how to apply Habermas's work in everyday settings. Habermas leads us to ask *how* we may actually carry out *the practice* of the critique of distorted communications. If listening serves us ordinarily as a critical corrective to the distorted messages we hear, then the practice of listening in everyday life may enable us to ground concretely our recognition, assessment of, and then our achieving freedom from the systematically distorted communications to which we are now subject. Our listening is praxis, not a panacea.

Listening as a source of recognition of systematically distorted communication

Because listening is a corrective to distorted communication, our failures to listen may show us forms in which distortions may occur. Also, recognising our failures may make us more sensitive to ways we can go wrong, ways for which we may be vigilant so that we may succeed and listen and act well. Forester (1980: 227) offers an explanation of the qualities of critical, emancipatory listening:

1. We may focus on what is being said and not on the person. By so doing we reduce ourselves to information processors. We attend to messages rather than the person, signals sent rather than lives lived. The detachment of 'what she said' rather than 'who she is'.
2. We may not be familiar – or competent – with the language (dialect, jargon and so on) we are trying to listen to. To listen we need to share a language, a way of speaking together in which communication, not just 'talk', is possible.
3. We may demand excessive clarity or precision or definition from others and avoid the responsibility we have as listeners to draw implications and think, to pay attention to meaning ourselves. As facts do not necessarily speak for themselves, spoken words do not draw all of their possible implications in our heads. We must be prepared to listen, to draw and interpret the implications of what the other has said. Recognising the *activity* of listening is recognising the humanity of the speaker.
4. We may not recognise the context of what we hear, and so misinterpret and misunderstand. To understand what we hear we may have to know some history – what important events that make up the backdrop of the speaker's words. We will

understand the same words quite differently if they are spoken to us in a speech, or an intimate conversation or as an example of what someone else has said. To listen, we must not only hear words but also understand the context, a historical situation in which those words are spoken. In a child protection conversation between worker and client, the professional/client relationship defines the context in which listening occurs. For the child protection worker, the clients lived past and present experience is central to the practice of listening and understanding what is really meant.

5. Contexts can change. "I love you" can mean extraordinarily different things as time passes, as a relationship changes – progressing or faltering. To listen well, we must be sensitive not only to changes in what we hear but also the contexts in which we hear. Hearing the same words in the same context when the world in which those words were spoken has changed can be a disaster – and is not good listening. This is exemplified in the child protection assessment process – the data gathered is static, taken at one point in time, yet time moves on, contexts change but the data doesn't.
6. Similarly with the assessment process, our concern with evidence and 'good reasons' can prevent us from listening to human beings; listening is far more than the assessment of facts to bolster an argument i.e. to prove that a parent is a risk to her child. Listening means paying attention to people and not substituting care for them (even if critically) to an interest in the abstract qualities of argument. If we treat the spoken or written word strictly as a claim, an element of argument, we are likely to neglect the significance of expression, of offering, of openness and deep ambiguity in another's words; we will fail in listening.

7. We can be predisposed not to listen. As speaking is a mode of action, so is listening; and both are forms of participation in our use of language. Some things, however, are harder to talk about than others; some types of participation together are easier to engage in than others. It may be difficult for a child protection worker to engage in listening to a parent who does not share a similar educational and socio-economic background to the worker (context again), and so withdraws to the comfort and less risky process of technical procedures by which to interact.
8. We may mistakenly trust (or be suspicious of) the persons we hear. How we trust will depend not on what we hear, but on our shared history, our past together, our understanding of who – as listener and speaker – we are. A mother whose past experience of the child protection system is to have been faced with hearing and not listening is unlikely to be trustful of a worker until she is convinced that the worker is sincere in her efforts to help both her and her child. An assessment of trust and the sincerity of the speaker is fundamental to listening. As we saw in previous chapters, Habermas tells us that sincerity is a condition of successful speech acts and that when claims to the validity of sincerity are violated, mistrust occurs. Insincerity will not be accepted; only if we are sensitive to its possibility will we be able to listen well.
9. If we do not respect the personhood and fallibility of those whose words we hear, our listening can only fail. To be able to listen, we must respect the life (not necessarily the deeds) of the person speaking; without that we have prejudice, stereotype, the denial of life, perhaps, but we have no possibility of true listening. Once again, as Habermas points out, the legitimacy of the words of another are

based on respect for the speaker as a person. When this validity claim is violated, respect is forfeited. Acceptance of the speaker as a person renders listening as an act of respect. It manifests the notion that we take the other seriously, rather than treat them instrumentally, bureaucratically or inhumanely.

10. We can forget the relation between 'part' and 'whole' or between the individual and society. We may attend to the speaker or only to the setting. We fall easily into the attitude that a person's attitudes come from 'within their heads' or perhaps not from them at all but from the 'system'. Once again we can draw on Habermas's insight by his explanation of the interrelationship of lifeworld and system. They are inextricably connected rather than separate entities. The lifeworld comprises the system which in turn impinges on the lifeworld. Focusing only on the system neglects the person; attending only to the individual neglects fundamental inadequacies (arising from individual fallibility) of social and political organization. To listen, we must attend to both part and whole, countering individualism on the one hand and historicism on the other.

Listening and self-reflection

Having discussed the qualities of emancipatory listening, we can now turn to applying this type of action to the process of self-reflection. As was alluded to in chapter eight, the work of Donald Schön (1983, 1987) together with his collaborative work with Chris Argyris (1996), has been considered as seminal influences on practices of reflection. Their work has been concerned with developing a concept of reflective practice that encouraged professionals to adopt a less 'expert' stance with their clients (Redmond, 2004). Schön

(1983: 29) claimed that professionals who were capable of adopting such a reflective approach would be, among other things, more responsive to the needs of their clients. According to Schön (1983: 290-306), much professional behaviour and its attendant professional language, what he termed (with a nod in Habermas's direction but without acknowledgement) a "technically rational relationship", serves to mystify professional knowledge and to confer on it an autonomy that removes the professional from the need to consult with the client. He argued that the distant, somewhat arrogant stance of technical rationality must be replaced with a far more open, inclusive position where professionals devolve power back to clients, thus engaging them in real partnerships. He called this reflective practice (1983: 295-307), in which professional and client could work more cooperatively, appreciating the contribution of the individual client to the eventual outcome. This notion is similar to that of Habermas (1971, 1984) who warned that professionals have immense potential, if not actual power, and that an awareness of the use and abuse of that power is vital for all those who deliver services, not least the professionals themselves (Henkel 1995: 74).

Inspired by the work of these two scholars, also others such as Dewey (1902, 1916, 1933) and Freire (1972, 1996), Redmond (2004) has constructed a model of communication which encourages professionals to explore their existing perspectives of clients, and, by so doing, be helped to develop more composite, multi-dimensional perspectives of the clients (see Figure 10.1). These perspectives then become the basis upon which the professionals can attempt new, more reflective approaches to their work. In what she refers to as "Model Rotation" Redmond (2004: 57) considers that practitioners can apply this process of self-reflection to take their concepts of clients and manipulate them in order to appreciate new

standpoints and extra dimensions. By doing so, they should begin to achieve what Mezirow (1991: 155) refers to as "perspective transformation".

In her discussion of the model Redmond does not include the action of listening. My discussion adopts the notion of critical, emancipatory listening to her model so that it becomes self-reflection in a Habermasian mode:

Every action oriented to reaching understanding can be conceived as part of a cooperative process of interpretation aiming at situation definitions that are intersubjectively recognised. The concepts of the three worlds serve here as a commonly supposed system of coordinates in which the situation contexts can be ordered in such a way that agreement will be reached about what the participants may treat as fact, or as a valid norm or as subjective experience. (1984: 69-70)

The model as espoused by Redmond (2004) involves two phases – the simple model rotation (2004: 89) and the full model rotation (2004: 101). The simple model rotation is characterised by 'mirroring', enabling one individual (professional) to see a situation or interaction from the standpoint of another (client). To do this successfully involves listening; perhaps even to things we would prefer not to hear. The objective is for the professional to imagine how he/she is perceived by the client and then to analyse what aspects of the professional demeanour cause clients to perceive them in different ways. In this way, the professionals become a mirror to themselves, using the mirror to rotate 180 degrees into the client's position and seeing what they look like from the client's perspective, adopting what Cooley (1902: 184) referred to as the "looking glass self" – that is, the self you understand as a result of the information reflected back to you in the judgements of others with whom you interact.

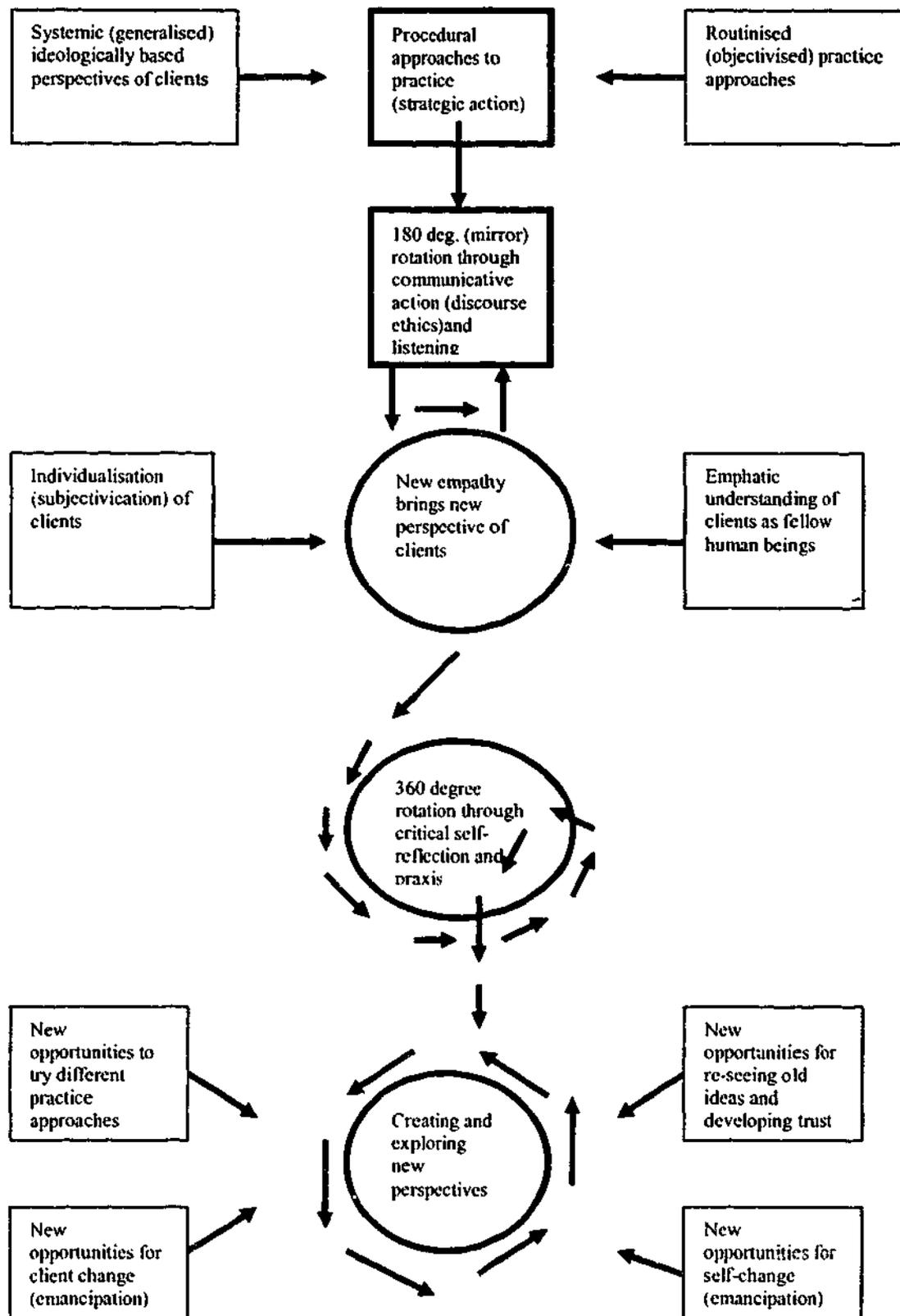
The full model rotation involves professionals 'turning and revolving' their view of the client a full 360 degrees. A vital element in the full model rotation is the professional's

ability to include themselves in the fully rotated model and be able to stand back from their work with clients and critically analyse their own role in the professional/ client interaction. The work of Kim (1999), previously discussed, should help in this respect. The professional/ client interchange is transformed from being one that is only perceived from the professional's point of view to one that also includes the client's. In full model rotation, through the help of a reflective approach, the professional becomes able to rotate the interchange between him or herself and the client, thus providing the worker with an unlimited number of new perspectives on how the interaction has progressed. This necessitates emancipatory listening so as to receive and analyse feedback on the feedback. According to Redmond (2004), full model rotation should result in professionals being able to recognise tacit aspects of their practice and to analyse the effectiveness of some of their current practice approaches. By helping professionals to critically re-see a piece of their own work, full model rotation could also help them develop longer-term reflective attitudes to their work which would then become an integral part of their practice. The sincere engagement of clients in these processes would be a major precursor to the development of trust - the vital ingredient if child protection intervention is to be successful.

Trust

As can be seen from the hypothetical case running through this thesis and the experiences of Barbara in chapter seven, violation of the validity claims of comprehensibility, truth, appropriateness and sincerity lead to a breach of trust. If the child protection system is to work towards effectively protecting children, trust must be restored. However, trust can only be developed over time, even if it can be built on generalised trust in a service or institution.

Figure 10.1: Self-reflective emancipatory process



Trust (or lack of trust) is an element of the relationship between workers and service users and possibly between workers and management. Just as families need time to trust workers, workers need time to trust each other. What is needed is a new basis on which to establish relationships of trust. There are two components of trust: firstly, the belief that the other party has your own interests at heart, even if there is some conflict in the relationship; and secondly, the belief that what the other person says is true, that the person is acting in good faith and is sincere (the three validity claims).

With regard to welfare provision, trust at its most fundamental level involves belief by the population that the state is basically benign, and that state services are essentially there for their benefit. This is notwithstanding the conflicts of interest which will inevitably emerge in welfare delivery. The state in turn must trust the families to bring up their children, and must be driven by the basic belief that families who need help are entitled to support by right, rather than that these families are failures in need of surveillance and monitoring. The state and the community should feel able to trust child protection workers to exercise their professional judgement to assess and intervene when necessary and to ensure the fair and equitable distribution of resources. Trust is the inalienable basis upon which helping relationships (even conflictual ones) are founded. We have to discover a revised basis for trust in seeking a new set of principles for child protection work. We cannot go back to old assumptions about the essential decency of the dedicated professional, trained within a vocational tradition; neither can we move forward on the basis of a culture of institutionalised suspicion and surveillance.

Developing relationships of trust takes time. Child protection workers and other child welfare professionals need time to talk to children, to parents and to each other. All parties

have to have a chance to get to know each other before they can decide whether and in what respect they can trust each other. Families cannot decide how far they can trust the service if they see a different worker every time. Professionals, similarly, need the opportunity to test out how far they can have confidence in each other's work. Developing a relationship of trust makes heavy demands on workers' and other professionals' time but it has the potential to save time as well: time spent in conferences, in court hearings and in unsuccessful planning. Time spent on building trust, whether between workers and families or between agencies may have very little quantifiable value, but it is necessary for effective work with families and cooperation between professionals.

Rigour, critique, confrontation, conflict, self-analysis and so on are all necessary subsidiary principles linking the behaviour and responsibility of individuals (the lifeworld) within the system and with the operation and development of the system itself. From the point of view of families, the system as well as individuals needs to be trustworthy. The total task of child protection needs to be understood as primarily an endeavour carried out by the system as a whole, not one of individual accountability and responsibility, although these are obviously present. Organisations and institutions should be continually systematically self-reflecting and examining, and helped to be so by independent processes and personnel functioning as critical friends. All professionals and working groups of staff are liable to become blinkered, defensive, inward-looking and internally conflicted. They need help to manoeuvre themselves out of such states, and understand the forces operating on them that encourage a retreat from the main task.

These are the conditions in which trust in the child protection system can be established, without that trust being blind. On the contrary, this form of trust entails a

preparedness to make practice and functions transparent to examination, and in particular, to self-examination. On the other hand, increased regulation, monitoring, target-setting and inspection will do little now, either to improve the overall quality of services or to increase the public's trust in them. Quality assurance on its own provides only the illusion of quality and is based on the notion that welfare is a product just like hamburgers or toilet paper, and can be measured and its quality assured in the same way. Real quality in public services does not come from monitoring. To achieve it requires a change in the social contract: in seeing ourselves involved in a common humanity in which trust can overcome systematically distorted communication and unjust ideologically driven domination.

Follow-up research

If the premise of this thesis is correct, then a prerequisite for social transformation is an understanding and critique of the way in which discourse functions. In other words, if ideology is manifested in the everyday discourses of child protection practice, then a critique of that ideology and its concomitant power structures require critique and transformation of organisational discourse. Viewed in this context, the role of further research is to expose and critique the process by which a particular organisational ideology (in this case the child protection system, but it could be any) produces and reproduces the corresponding structure of power within the organization. Ideally speaking, one of the products of such research would be the articulation of an alternative organisational reality that opposes or reconstructs the dominant ideology. This alternative reality would not be produced or imposed by the researcher, but would rather be generated via the dialectic between researcher and organization members.

This research should have as its focus not simply on providing insight into an individual's sense-making practices, such as what occurs in interpretative research, but also on uncovering the deeper power structure relations which determine these practices. Further, a more critically oriented method would provide social actors themselves with the means by which to both critique and change extant meaning structures of the organization. One way of characterising the distinction between the interpretative approach to research and that of the critical approach is to say that the interpretative approach seeks to provide insight into organization *practice*, whereas more critical approaches seek to generate organization *praxis*. Heyderbrand makes the following distinction between practice and praxis:

When...goal-directed problem solving activities are institutionalised and become habitual, one may speak of organizational practices. By contrast, organisational praxis refers not only to the technical transformation of the environment and to the solution of practical problems, but also to the conscious self-transformation of collective actors. This requires a high level of understanding and insight into the motivational and causal links among actors, social structures and history. Thus organizing activity, cooperation, undistorted communication and domination-free interaction are central in the concept of organisational praxis. (1983: 306)

The notion of praxis, then, provides a useful starting point for introducing a research method that operates in a transformative capacity.

Participatory Research

Participatory research (Brown and Kaplan 1981; Gaventa and Horton 1981; Hall 1981; Vio Grossi 1981; Mumby 1988) is highly dependent on active participation by social actors for its implementation and views radical social change as its primary function (Mumby 1988). Participatory research rejects the status quo and seeks to transform existing power relations.

In this sense, participatory research is emancipatory. Participatory researchers are not interested in solving problems within a perceived context (what happens now); rather they are more concerned with redefining the context itself, providing the means by which previously oppressed interests can be voiced and considered in the structuring of social environments. The goal of participatory research is thus one of introducing fundamental structural change through exposing the myths that a dominant power structure imposes on people. According to Hall, genuine change can only be sustained if knowledge can be reframed in terms of the interests of subordinate groups that is a 'popular' knowledge:

The creation of popular knowledge is a form of "anti-hegemonic" activity, an instrument in the struggle to control what the social agenda is. Popular knowledge can be seen as preventing those in power from maintain the monopoly of determining the wants of others, thus in effect, transferring power to those groups engaged in the production of popular knowledge. (1981: 14)

Participatory research holds praxis as a specific goal in that the insight provided by popular knowledge leads to structural social change that alters the status quo (Vio Grofi 1981). Social actors develop a transformative capacity that arises out of the situatedness as members of a particular community, and the guidance and insight provided by the researchers (Mumby 1988).

However, it is not the purpose of this thesis to delve into a precise explanation of the intricate methodology of participatory research: suffice it to say that such type of research would be a logical follow-up the project undertaken in this thesis.

Conclusion

The core of this thesis lays in its identification of an organisational culture - in this case, the child protection system - as a site of systematically distorted communication influenced by

dominant ideological paradigms. The ultimate goal of this thesis has been to encourage the disclosure of structures of domination as they are manifested in human communication. Whilst this work has been primarily conceptual in nature, it has attempted to ground Habermas's intricate concepts in the locus of everyday child protection organisational practice. The next step in this process must therefore involve further testing of the theoretical issues developed here. Finally, the legitimacy of this thesis rests with its invocation of a communication ethic that involves the continuous striving for the non-realizable ideal of a coercion-free discourse. As Archbishop Desmond Tutu said "never be afraid to talk, because when people sit down and talk to each other they discover each other." (cited in Brewer and Higgins, 1998: 229). The quality of community life and the proper protection of children are contingent on the application of this moral imperative.

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